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PARLIAMENT AND PREROGATIVE.

THE beginning of an agitation against the Crown ought to be watched with vigilant suspicion. In public and in private controversy a disputant sometimes obtains an ungenerous advantage by a breach of conventional reticence. It needs no profound or original reflection to discover that an historical constitution includes an artificial element. Legal and constitutional fictions, though they may belong to the province of the imagination, sometimes add largely to the strength of the political fabric. Those forms which survive from a time when monarchy was either absolute or limited by vague and indefinite restrictions have in modern times occasionally been found useful, and seldom injurious, although any revival of their ancient spirit and practical operation would be intolerable, as it is happily almost inconceivable. During the present reign, now extending over more than forty years, the Crown has by general consent been regarded until lately as beyond the range of party controversy. The lowest demagogues, indeed, may have emancipated themselves from the restraints of patriotism and prudence, and at one time a few agitators of a higher class attempted to recommend a future Republic; but even the rabble is less jealous of the highest rank than of aristocracy and wealth; and it happened that the anxiety caused by the dangerous illness of the Heir to the Throne repressed for the time the feeble Republican movement. The Eastern question has roused political passions which had been comparatively calm since the date of the first Reform Bill; and the minority has been only the more bitter because the Liberal party has been divided on all questions relating to foreign politics. At a hated Minister who proved invulnerable to Parliamentary attack, disappointed adversaries have not hesitated to strike through the Court and the prerogative. The biography of the PRINCE CONSORT furnished occasion for the most envenomed assaults; and the choice of a ground of hostility was skilful, because the publication was the personal act of the QUEEN, who was debarred by custom and decorum from retaliation or self-defence. The author of *The Crown and the Cabinet* has perhaps produced some popular irritation, and he has found supporters in high political circles. If it had been understood that the QUEEN dissented from the Eastern policy of Lord BEACONSFIELD, the Crown might probably have retained its traditional immunity from criticism.

The dispute whether Prince ALBERT transgressed the limits of constitutional propriety by his intervention in public affairs is wholly distinct from a more recent denunciation of a pretended abuse of the prerogative. Mr. LOWE has not deemed it unworthy of his station and of his great intellectual power to direct against the Crown the indignation with which he regards the policy of the Minister; yet he cannot but know that Lord BEACONSFIELD and his colleagues are morally as well as constitutionally responsible for the Turkish treaty. The QUEEN had no choice except either to take the advice of her Ministers or to accept their resignation; and, as their conduct has been approved by both Houses of Parliament, a dismissal of the Cabinet would have been a much stronger exercise of the prerogative than an assent to the Ministerial policy. It is surprising that so acute a reasoner as Mr. LOWE should, even against the Government, rely on arguments which were liable to be confuted not by stronger reasons, but by the impending division. The Opposition has not ventured to

divide the House of Lords, and the House of Commons has approved the treaty by nearly three times the ordinary party majority. Ratification is, according to the legal maxim, equivalent to direct command. Taunts applied to a docile or servile majority are directed against constituencies rather than representatives. If the House of Commons had inflicted the strongest censure on the Government, Mr. LOWE's attack on the Crown would not have been more timely or more justifiable. He was careful to apply his criticisms not to the abuse of Ministerial discretion, but to the alleged revival of obsolete prerogative. He said that he had been, like others, content to acquiesce in fictions derived from absolute monarchy as long as they were not reduced to substance; but the conclusion of secret treaties, imposing heavy liabilities on the country, was a renewal of the pretensions of the PLANTAGENETS or the TUDORS. It is seldom possible to misunderstand Mr. LOWE's meaning, and he proceeded further to explain his contention by familiar illustrations. The QUEEN, he said, may pardon every criminal in the prisons, or make any cobbler an earl; but it is on the understanding that no such extravagance shall be perpetrated that the prerogative of pardon or of honour is allowed to exist. The personal reference to the QUEEN was erroneous as well as indiscreet. Governors of gaols would take little notice of a pardon unless it were countersigned by Mr. CROSS; and the Great Seal cannot be affixed to patents of peerage except by the Lord Chancellor. Lord SALISBURY's agency in the signature of the Turkish treaty was not less indispensable; yet Mr. LOWE attributes to personal despotism a power which cannot be exercised by the Crown without the consent of Ministers representing the majority in Parliament.

It is true that a Government may be guilty of unconstitutional acts, though it is scarcely possible for the reigning sovereign to evade the securities which are provided against misuse of the prerogative. An infringement of the Constitution, as distinguished from a breach of law, may be defined with approximate accuracy as a grave innovation introduced against the will of Parliament, and perhaps against the general opinion of the country. For the worst offences of the kind impeachment is the proper remedy; and some foolish local clubs accordingly conform to theory and precedent when they demand that the House of Commons shall impeach Lord BEACONSFIELD. The SPEAKER rightly decided that such petitions are regular in form. In modern times the expulsion of Ministers from power is thought a sufficient punishment for official misconduct. The elevation of a hundred cobblers to the peerage, the release of a thousand felons from penal servitude, would be grossly unconstitutional measures; and if English Ministers were as capricious as Oriental despots or as some of the Roman Emperors, it might probably become necessary again to resort to impeachment. Infringements of the Constitution have generally assumed a milder or more doubtful type. The opponents of the Reform Bill considered as unconstitutional the proposed creation of sixty peers, and Lord GREY himself shrank from the measure, although it was recommended by urgent political necessity. The KING, against whom Mr. LOWE's censures would have been directed, was strongly opposed to the measure. Some years afterwards Lord NORMANBY was justly blamed for releasing a number of prisoners in Ireland who had committed agrarian offences; but

as the Government to which he belonged had then a majority in Parliament, his conduct was not the subject of formal censure. There was at that time no Mr. LOWE to hint that WILLIAM IV. had through his Lord-Lieutenant abused the prerogative of pardon. The most unconstitutional measure of modern times, consisting in the creation without Parliamentary authority of a life peerage, was not of primary importance, and its main purpose was defeated by the firmness of the House of Lords. Mr. GLADSTONE'S Government contributed to the list the petty evasion of an Act of Parliament in the EWELME presentation. The abolition of purchase in the army by Royal Warrant, overruling the decision of Parliament, was a graver instance of disregard of constitutional propriety; but in none of these cases was the QUEEN substituted for the Minister in the successive controversies which were provoked by irregular proceedings. The attempt to involve the Crown in the alleged misconduct of Lord BEACONSFIELD proves the violence of recent party passion.

The inquiry whether the conclusion of the Turkish treaty is unconstitutional raises, as has already been suggested, a question of fact. As a general rule it is not unconstitutional to do what Parliament will approve. The Minister anticipates at his own risk the judgment which will be afterwards formed on his policy. In such cases it is far better to consult Parliament beforehand, if the attainment of the proposed object is compatible with publicity; but in the conduct of foreign affairs it is impossible for a Minister to take Parliament into his confidence without equal fulness of communication to the rest of the world. If the treaty which has now been approved by the House of Commons, and which has not been questioned in the House of Lords, is expedient and desirable, a policy assumed to be prudent might probably have been defeated by a premature announcement. France and Italy might perhaps have protested, although the grievance of which they might have complained would have been imaginary; Russia might have required that the treaty should be submitted to the Congress; and the anti-national faction at Constantinople would probably have dissuaded the SULTAN from accepting English protection. The policy of the measure is still open to discussion, but the constitutional controversy is determined by last week's division. It was admitted in the course of the debate that many former Governments had concluded secret treaties, including Mr. GLADSTONE'S treaty by which the independence of Belgium was temporarily guaranteed. It was not, therefore, open to the Opposition to denounce a treaty as unconstitutional merely because it was not sanctioned by Parliament before ratification. If the Turkish treaty was unconstitutional, its defect was not of form but of substance. The House of Commons has decided in favour of the treaty on its merits; and the Ministers are consequently discharged of all technical responsibility. That the QUEEN could in any case have been charged with abuse of the prerogative in approving the treaty was a suggestion due only to the prejudiced fancy of Mr. LOWE. It is strange that the implacable enemies of Lord BEACONSFIELD should wish to divert from him a portion of the blame supposed to be due to his policy. For the future results of the treaty he and Lord SALISBURY are still morally responsible. An unwise measure may be culpable, though it is unanimously approved by Parliament and the country; but it can scarcely be unconstitutional.

THE PLENIPOTENTIARIES IN THE CITY.

THE triumph awarded to the Berlin Plenipotentiaries has been held in accordance with precedents of similar celebrations in ancient times. The traditional attendant who from time to time reminded the conqueror that he was mortal has not failed of his duty; for, if he was absent from the crowning celebration in the City, Lord SALISBURY took occasion to quote his lugubrious warning. In the midst of the plaudits of the Guildhall and the Mansion House, Lord SALISBURY professed to feel only that "they have not found us out." The rancorous animosity of some opponents, and the sincere disapprobation of more reasonable critics, offer a strange contrast to the popular enthusiasm of Saturday last. There is no doubt that the Plenipotentiaries are at this moment

generally admired in England, though perhaps they may not share the adoration which, if Lord BEACONSFIELD may be trusted, is felt throughout Europe for the LORD MAYOR. Popular opinion on measures of foreign or domestic policy may be balanced and uncertain; but in times of excitement it knows no hesitation as to persons. The shortcomings of statesmen who are on the whole believed to have maintained the honour and consulted the interest of the country are summarily and absolutely condoned. Many citizens of London must have wholly or partially concurred in the objections which have been urged in Parliament against the conduct of the negotiations and against the provisions of the treaties; but there was no division in the general sentiment that Lord BEACONSFIELD and Lord SALISBURY have deserved well of their country. If a civic opponent of the Government wished to reconcile his severer judgment with his concurrence in the welcome offered to the Plenipotentiaries, he might not unreasonably argue that no other representatives of England could either have obtained all the results which might have been thought desirable, or have pursued a policy which would not have been liable to plausible objections. If Lord BEACONSFIELD and Lord SALISBURY had been, in the estimation even of political opponents, guilty of meanness, of folly, and of habitual preference of servitude to freedom, their reception in the City could never have occurred; but it would seem that Mr. GLADSTONE'S opinions, if they are not peculiar to himself, are at least not shared by any considerable part of the population of London.

Lord BEACONSFIELD'S speech at the Mansion House was intended to recommend both the Berlin Treaty and the Turkish Convention to the approval of the country. The best result which can ensue from recent transactions would be the permanent establishment of peace. In Lord BEACONSFIELD'S judgment the object will probably have been attained, because none of the Powers retired from the Congress with a sense of loss or humiliation. It is true that the SULTAN has been deprived of a large portion of his dominions; but the severance or partition was a consequence of the war; and it was reduced in amount by the Treaty of Berlin. To France and Italy Lord BEACONSFIELD was courteous and almost deferential, though their gains only consist in having lost nothing, and in the possible extension of their commerce with Asiatic Turkey. Of "the peace-maker" Germany it was deemed sufficient to say that peace had been made or preserved. There was no doubt that the English nation, if it is represented by the metropolis, is fully satisfied. In discussing the feelings of the Russian Government and people Lord BEACONSFIELD was perhaps wanting in delicacy of tact. There could be no objection to his frank admission that a victorious belligerent had an indisputable claim to material advantages. It may be doubted whether Russian statesmen will be flattered or pleased by the suggestion that a wholesome rebuff has been administered to the Panslavonic agitators and to the military or warlike faction. It is highly probable that the EMPEROR and his Ministers are frequently embarrassed by the turbulent ambition of conspicuous personages; but sovereigns and nations are impatient of foreign criticism, especially when it applies to domestic differences. The EMPEROR himself, though he from time to time professed pacific intentions, probably with entire sincerity, ultimately identified himself with the party which forced on the long-prepared war. Some of those who are nearest to his person, and counsellors who have formerly enjoyed his confidence, are probably still devoted to measures of territorial aggrandizement. Since the close of the Congress semi-official journals have insolently threatened Austria with war; and there can be no doubt that a powerful party is ready to recommence intrigues for the dissolution of Turkey. It happens that, notwithstanding Lord BEACONSFIELD'S belief in the peaceful intentions of Russia, the Governor-General of Central Asia has organized an expedition of which the destination is at present unknown. Losses in the late war, financial difficulties, and fear of the concerted opposition of Europe may probably for some years restrain Russia from fresh disturbance of the peace of Europe; but the cause of peace will not be promoted by congratulations which may be received as a challenge. Lord SALISBURY more appropriately referred to the prophecies of failure which were directed by the Opposition of the day against the Treaty of Vienna. The arrangements of that Congress produced or rendered possible a peace of forty years; and possibly the Treaty of Berlin may be not less successful.

The greater part of Lord BEACONSFIELD'S speech was occupied with sanguine anticipations of the effects to be caused by the Convention with Turkey. Both the Plenipotentiaries express a confidence in the character of the SULTAN which must be founded on reasons not known to the world at large. It will be well if his good will and firmness incline him to adopt the measures which will be urged upon him by the English Government. As Lord BEACONSFIELD says, it is only necessary to secure protection for life and property by an impartial and vigorous administration of justice. Commercial enterprise will gradually do the rest. The condition of success is theoretically simple, but it will not be easily provided. The Turks are as a nation among the honestest of mankind; but Turks in office are, as a rule, tyrannical and venal. Pressure on the Government at Constantinople will, unless it is skilfully regulated, tempt the governing class to cultivate the patronage of Russia, which has in Turkey, as formerly in Poland, steadily discountenanced all administrative improvement. In Asia Minor there is less opening for foreign intrigue than in Europe, because there is happily in many districts no Christian population to be oppressed or to rebel. That the experiment of reform may be fairly tried, it is highly desirable that the present English Government should remain for some time in office. Lord SALISBURY will feel the responsibility which has been incurred in the Turkish Convention more acutely than successors who may have confidently foretold the utter failure of the enterprise. It is scarcely possible that Cyprus should not under English administration increase in wealth and general prosperity; and a desire to share the benefits of rational government may probably spread to the mainland. The SULTAN may perhaps be induced to assent to the proposal of appointing governors of provinces for a definite term. It will be easier to enforce the performance of a limited and positive engagement than to insist on the execution of large and general reforms. The disregard of previous laws and decrees has perhaps been exaggerated. Lord BEACONSFIELD quoted the statement of the American missionaries in European Turkey that the condition of the Christian subjects of the SULTAN had been greatly ameliorated since the Crimean war; and similar statements were a few years since officially made by Mr. GLADSTONE'S Government. The interference of England with the principles and details of administration will now be more systematic and more fully authorized. The rights conferred on the English Government by the Convention will be wholly beneficial as far as they prove to be operative. On the corresponding obligations Lord BEACONSFIELD was silent.

All but the most implacable disputants will share in Lord BEACONSFIELD'S hope that the Eastern controversy may end with the House of Commons debate and the ceremony in the City. No political dispute has for many years caused so much irritation and ill-will, both when two opposing currents of opinion were in doubtful conflict, and when patriotic pride ultimately prevailed over the combination of sentiment with utilitarian expediency. Modern Liberals will have learned a valuable lesson from their utter and unexpected defeat. The Government has commanded public confidence, not because this or that despatch deserved popular approval, nor even in consequence of the arrangements by which war was at last averted. The Parliament and the country have in substance proclaimed their conviction that Lord BEACONSFIELD and his present colleagues have rehabilitated the name and fame of England by a display both of material power and of resolution to employ it for national ends. The FIRST LORD of the ADMIRALTY spoke at the Mansion House with equal justice and eloquence of the invaluable service which had been rendered by the fleet under Admiral HORNBY. The Government had the merit of daring to use an unequalled naval force to check the dangerous ambition of a rival Power. At the same time it was found that a considerable army was ready for service in the East; and, by a stroke of genius which produced a startling effect both at home and abroad, the world at large was reminded that the great Indian army formed a part of the forces of the Crown. Several carping critics in the House of Commons professed to believe that the objects of the Government might have been more cheaply and safely attained by an early understanding with Russia. They were mistaken in the assumption that, in a great emergency, cheapness and safety are regarded by Englishmen as objects of primary importance. The

concessions which have been secured are valued not only on their own account, but because they were obtained not by submissive intercession, but by readiness to act. That England is respected by all foreign Powers is a result more highly valued than any arrangement with Russia or with Turkey. Although the merits of the actual solution may still be subject to discussion, statesmen will for some time to come take into account the unforeseen disclosure of the feeling which underlies party differences in England.

PARTY ORGANIZATION.

AN imposing deputation has waited on the two Conservative leaders to express the satisfaction with which the various Conservative Associations have watched the triumph of the Ministerial policy. In return they have received an interesting and instructive lecture on the uses and merits of party organization. It is because the Conservative party is so highly organized that it has done so much; and its leaders have ventured on bold steps which they could not have taken had they not been assured of a support which would never fail them. The greatest successes of the world, as Lord BEACONSFIELD pointed out, have been achieved by a combination of strict discipline and strong feeling. The Roman Legion, the Macedonian Phalanx, the Ironsides of CROMWELL, the Peninsular armies of WELLINGTON, did things which all the world held to be very great, and they did them because they were animated by noble sentiments, and bound together by the bonds of an iron discipline. In the same way the Conservative Associations are entreated or directed to complete and maintain the electoral conquests of England by cleaving to the inspiring thought of the greatness of the British Empire, and by preserving that stern discipline which, as Lord SALISBURY put it, crushes out all individual eccentricity. The leaders of the Associations are to recommend the candidates recommended to them, the electors are to vote for them, the members when returned are to do as the leaders of the party tell them; and we may guess that even in the Cabinet itself the same spirit is to prevail, and it in its turn is to bow before its head. The basis of the whole structure is, however, the working-man. Lord BEACONSFIELD prides himself on his personal ingenuity in discovering, and on his personal success in proving, that the working-man is eminently fitted to be a disciplined Conservative. For ages he has had glorious rights and liberties under the British Constitution, and now he can vote, and knows how to vote so as to uphold them. The day-labourer is the real man to preserve the British Constitution, and if Lord BEACONSFIELD had made his speech when introducing a Bill for assimilating the county to the borough franchise, he could not have said anything more appropriate. For once he and Mr. GLADSTONE appear to be entirely of the same mind. They both find more and more political excellence and aptitude the lower they go. At any rate a Conservative leader, or, if the leadership were ever put in commission, two or three Conservative leaders, wielding the force of the masses through a hierarchy of submissive agents, is the ideal which Lord BEACONSFIELD has set himself to attain, and which, it must be confessed, he has actually attained with a nearer approach to completeness than is often realized by statesmen in pursuit of a great object.

What, in the face of an organization so effective, so powerful, and so far-reaching, are the unfortunate Liberals to do? It may be assumed that the Liberal party has a right to exist. Even Conservative Associations are, at least in theory, ready to agree that it is a good thing to have an Opposition. But, to exist, a party must show itself to be existing. It must be ready to go to the poll as well as to make those gentle and faint criticisms in Parliament which will at once tend to the greater glorification of the Ministry and save the critics from the reproach of factionness. In the face of organized Conservatism, how are the Liberals to go to the poll with any hope of winning, unless they too are organized? But the Liberals are under a great disadvantage, and it is precisely the same disadvantage as that under which Protestants suffer in face of Catholicism. They base their system on the principle of freedom of thought, and, as few men know how to think, and few of those who think agree, freedom of thought is the inevitable cause of the rise of sects. The Liberal party in all countries and in all ages will tend to become

disintegrated. But the tendency is held in check by the perception that, unless the sects can find some common basis of cohesion, they are all equally powerless. Of course, when some great question like Free-trade or the disestablishment of the Irish Church unites the sects, they will not only cohere but combine with the fervour which sectarianism fosters. But there cannot always be such questions, and the Liberal party must strive to exist even in quiet times. Its various fractions are sometimes more patient, at others more impatient, of organization; but in the vicissitudes of things there will always be times when the dread of non-existence conquers the dread of discipline. But even if they try to organize, Liberals cannot copy the Conservatives. If they could, they might be tolerably happy. Lord HARTINGTON would tell them what they were to think, and Mr. ADAM would tell them whom they were to elect. But this is impossible. Liberals can be got to sink some of their differences and to work together for a party triumph; but they will not stand—and it is hopeless to think they ever will stand—dictation from above. Each locality claims to do its own work. It will yield to its Association, but then it claims to elect its Association, so that minorities or sects may be at least heard and consulted. The whole difference between the organization of the two parties is that the unit of the one is an inspired Association, and the unit of the other is a representative Association; and it may fairly be said that each system has, theoretically, its merits and its demerits. The best that can be hoped for by the Liberal party is that its representative Association shall represent the sense, and not the nonsense, of the party. In other words, the Association must not only sink its differences, but select creditable candidates. It is only if this is done that the wholesome prejudice of the English people against an introduction of the caucus system can be allayed. Perhaps in the present hour of their discouragement the most promising sign for the Liberals is that their Associations seem to be awakening to a perception of this primary truth. When Mr. GLADSTONE announced his intention of withdrawing from the representation of Greenwich, the Liberal Association set to work to find a successor. At first all was disorder and nonsense. All manner of unsuitable candidates were put forward. But before long the Association got over what may be termed its puppy distemper. It grew into a big, sensible animal; and it has ended by selecting Mr. STONE, who sat in the last Parliament, did exceedingly well there, and amply deserves to have a further opportunity of displaying his powers.

It seems open to some doubt whether the Conservative organization is really quite so strong as it seems to be. It is very strong now. It commands the constituencies at present, and will probably command them at the next general election. It has also enormous strength in itself. Discipline, as Lord BEACONSFIELD says, is a wonderful thing, and a great portion of humanity desires nothing so much as to be led. The kind of leadership, too, that is exhibited in the Conservative party—the leadership of the great and the rich—is one natural and dear to Englishmen, and has been honourably earned by great and patriotic services. But in one way the very strength of the Conservative organization may prove to be its weakness. There are moments when Englishmen do not contemplate legions and phalanxes with any great affection. England admired and feared CROMWELL'S Ironsides, but was heartily glad to get rid of them. No body that was ever constituted has approached in discipline, and in the success which discipline gives, to the Jesuits, and no body was ever looked on in England with so much dread and suspicion. This legion of Conservative Ironsides, this *imperium in imperio*, may some day provoke the jealousy and antipathies before which so many disciplined bodies have found themselves powerless. Even the present success of the phalanx may prove to be of an accidental and temporary character. It seems to depend rather largely on the personal qualities of some of its chiefs; and some part of the popularity of the Ministry may be reasonably ascribed to the fact that Sir STAFFORD NORTHCOTE and Mr. CROSS, not to mention others, look and behave as little like leaders of Ironsides as two men could possibly do. Then, again, our new Ironsides have been conquering when, as it happened, there was no one to conquer. They have been engaged in a kind of Ashantee war. When a nation is really agitated by deep questions and divided by deep grounds of division, it is not easy to keep a phalanx

together. Lord SALISBURY seems, when in Germany, to have been much struck with the absurdity of the Germans in having thirteen parties and not combining into a phalanx to crush the Socialists. This is a remarkably Bismarckian way of looking at the situation in Germany. No doubt Prince BISMARCK is all for a phalanx led by himself, and he chose to say that the Socialists were so much to be dreaded that all good Germans ought to range themselves amongst his legionaries. But the Germans simply did not agree with him. They thought Socialism partly a bugbear and partly an error of opinion, to be combated by argument and repressed in its active excesses by strictly legal means. Being thus left free to think whether they would enrol themselves in a phalanx or not, they decided that it was not worth while to enrol themselves at the cost of all constitutional independence, and possibly of submission to the Vatican. If a similar crisis arose in England, it would not be surprising if Englishmen also were not captivated by the beauties and glories of belonging to a phalanx.

THE EASTERN DEBATE.

WHEN the great and final debate on the Eastern question began, the advantages seemed to be not unequally divided. The Government was encouraged by the certainty of a division in its favour, while the Opposition relied both on the freedom and facility of attack as compared with defence, and on an acknowledged superiority in debating power. No member or supporter of the Ministry can compare with Mr. GLADSTONE in eloquence; and in the absence of Mr. BRIGHT, Mr. LOWE, Sir W. HARCOURT, Mr. FORSTER, and Lord HARTINGTON are perhaps more than a match for Sir STAFFORD NORTHCOTE and Mr. CROSS. The expectations of the Liberal party were not disappointed. Mr. GLADSTONE'S impassioned and argumentative speech was one of the most remarkable which he has delivered. Mr. LOWE has never been keener or more incisive; nor was any detail in the late negotiations allowed to escape the criticism of Sir W. HARCOURT, Mr. FORSTER, and other opponents of the Government. On the other side the debate was maintained with unexpected vigour. Lord SANDOX, who has but lately become a Cabinet Minister, was spirited and impressive; and for the first time since his entrance, forty years ago, into the House of Commons, Lord JOHN MANNERS delivered an effective speech on a great question. Of the independent members who took part in the debate Lord ELCHO, Mr. ROEBUCK, and Mr. BUTT, all of whom supported the Government, were more successful than Mr. CHAMBERLAIN, Sir C. DILKE, and Mr. COURTNEY. Among official speeches Mr. BOURKE, and in a less degree Mr. CROSS, chilled the enthusiasm of their party by explaining away after the manner of Lord DERBY the validity of the engagements contained in the Turkish treaty. The most satisfactory speech on either side was made by Sir STAFFORD NORTHCOTE at the close of the debate. His quiet and credible account of the difficulties attending the negotiations and of the means by which they had been overcome contrasted favourably with Mr. GLADSTONE'S torrent of censure and indignation. Without boasting of the Turkish treaty as if it were to insure the sudden regeneration of the East, and without apologizing for it like Mr. BOURKE as if it were an unmeaning fiction, Sir STAFFORD NORTHCOTE defended the arrangement on the only tenable ground as a substitute for the European guarantee of the Turkish dominions in Asia which it has not been possible to obtain. The Government, according to the leader of the House of Commons, neither entertains extravagant hopes of benefit to be conferred on Asia Minor, nor despairs of gradual and considerable improvement under English influence. The more polemical part of Sir STAFFORD NORTHCOTE'S speech was not less convincing. It was worth while to prove by extracts from official despatches that the late Government deliberately and systematically declined the intervention in Turkish affairs which the Ministers have been reproached for not undertaking even at the risk of war.

If the Opposition had been a plaintiff, and the Government a defendant, Mr. GLADSTONE'S forensic effort would have deserved unqualified praise. He exhausted every argument which could be used on his own side, and he carefully abstained from any admission or concession of which the adverse litigant could take advantage. His un-

hesitating sacrifice of all other considerations to the immediate interest of his client may not perhaps command equally unqualified approval. When Lord BROUGHAM once declared that an advocate ought to think only of his client, the present LORD CHIEF JUSTICE reminded him of the limitations which were necessary to justify the general proposition; yet, as long as there is no violation of veracity or morality, counsel are entitled to disregard the possible effect of their arguments on the interests of strangers to the suit. With similar license, Mr. GLADSTONE had no hesitation in risking a breach of friendly feeling between England and France; and he anxiously, though incidentally, strove to convince foreign nations that the English Government was the weakest, the worst, and the most unscrupulous that ever entered into important negotiations. His more immediate purpose of leading the House of Commons to the same conclusion would perhaps have been more effectually promoted by some show of moderation. Ordinary hearers, though they may not be able to resist the charm exercised by a great orator, or to discern a flaw in his reasoning, cannot but shrink from the startling paradox that a Government which has a majority in Parliament, and which is popular in the country, has never by accident been right in the smallest detail of its diplomatic transactions. The other Plenipotentiaries or their Governments, with perhaps the exception of Austria, had rendered great services to humanity. Russia had, at the expense of untold misery to the Mahometan population, established Christian supremacy in Northern Bulgaria, and would, but for obstacles raised by England, have extended her beneficent supremacy to the Ægean and the gates of Constantinople. Germany had countenanced the policy of Russia; and the French Plenipotentiaries, if Sir CHARLES DILKE is rightly informed, talked of giving Epirus and Thessaly to Greece, though they were afterwards persuaded by their English colleagues to prefer only demands which the Porte was likely to concede. While more generous and more virtuous statesmen were overflowing with benevolent wisdom, Lord BEACONSFIELD and Lord SALISBURY, representing the country which used to believe itself the model and champion of liberty, in every case wantonly and obstinately preferred servitude to freedom. It is not Mr. GLADSTONE's concern if the baseness of the Plenipotentiaries involves their country in disgrace. *Amica Anglia, sed magis amica Veritas.* As Mr. SHANDY translated the saying, "Dinah was my aunt, but Truth is my sister." It may be remarked that the philosopher in the story loved his aunt as Mr. GLADSTONE may be supposed to love Lord BEACONSFIELD, who for the present purpose, especially since the division of last week, happens to be identified with England. A little candour, a certain amount of moderation, a more considerate patriotism, would have rendered Mr. GLADSTONE's speech more persuasive, though not more brilliant.

Lord HARTINGTON's neglect in his opening speech to notice the secrecy with which the Turkish treaty was concluded had been thought to indicate a difference of opinion from Mr. GLADSTONE; but it appears from his reply that the omission was accidental. The defect had in the meantime been amply supplied by other members of the Opposition. Though Lord HARTINGTON is an accurate and temperate reasoner, he allowed himself to be misled by a fallacy which was afterwards more fully elaborated by Sir W. HARCOURT. Both speakers contended that, even if the provisions of the Berlin Treaty were acceptable, the Government could take no credit to themselves for results which they had attempted to defeat. Sir W. HARCOURT said that the liberation of Bulgaria from Turkish dominion, the so-called autonomy promised to Eastern Roumelia, and the right of supervision over the condition of the Armenian Christians which is granted to the Great Powers of Europe, were objects of which the Opposition had approved, and which had been attained only by the war and the victory of the Russian armies. It was, as he argued, inconsistent to acquiesce in consequences and to find fault with the causes. He who wishes the end, according to the proverb, also wishes for the means; and the Government, therefore, must either approve the Russian invasion of Turkey, or hold the provisions of the Treaty of Berlin to be objectionable. It is almost always a waste of ingenuity to prove that the conduct of an adversary is inexplicably inconsistent. Men of ability, entrusted with the conduct of important affairs, often commit mistakes; but they have always plausible excuses, if not sufficient justification. The

Ministers had to deal, not with the state of affairs before the war, but with victorious Russians and defeated Turks. It was their merit if the Treaty of Berlin was better than the Treaty of San Stefano, and it was not their fault that the new arrangement is more inconsistent than the Treaty of Paris with the traditional policy of England. Lord BEACONSFIELD has scarcely concealed his opinion that the war ought to have been prevented, if necessary, by a display of force; but as it was notoriously impossible for the Government to make war in defence of Turkey, it only remained to save as much as possible from the grasp of the conqueror.

In the course of the debate much labour was wasted in reverting to the earlier stages of the Eastern controversy. Mr. GLADSTONE once more asserted that the Government ought to have concurred with Russia two years ago in preventing the passage of Turkish troops from Asia to Europe. It may be doubted whether there is any precedent for such a policy; and it would have been a strange plea to make war on Turkey for persistence in the mode of administration with which Mr. GLADSTONE's Government had for many years declined to interfere. A still more conclusive argument against Mr. GLADSTONE's retrospective and hypothetical policy is that it was not approved by any party in Parliament. Mr. GLADSTONE himself never promulgated, and perhaps never invented, the scheme until he had been repeatedly taunted for his failure to propose an alternative policy, while he incessantly denounced the measures of the Government. The proposal was so entirely disapproved by the Opposition that it was never embodied in a motion; and Mr. GLADSTONE was compelled by his own party to withdraw a resolution which seemed to pledge the country to active intervention against Turkey. Sir W. HARCOURT, with creditable consistency, disclaimed sympathy for any project of applying coercion to Turkey. On the other hand, he seemed to sympathize with Russian aggression, not only in the past but in the future. It is difficult to understand the inference which he desired to draw from the questionable proposition that Asia Minor had never been regenerated except by foreign conquest. Civilization was not advanced when the Ionian republics were absorbed in the Persian monarchy, nor when, after many centuries Mahometan conquerors displaced the authority of the Eastern Empire. If it is for the benefit of the population and of the world at large that Russia should conquer Asiatic Turkey, it may be admitted that the English Government has been wholly in the wrong. Both Houses of Parliament are now involved in the guilt of the Ministerial policy.

THE ELECTIONS TO THE FRENCH SENATE.

THE next renewal of the Senate, in which seventy-five of the existing Senators will have to be re-elected or replaced, and eight more seats left vacant by death will have to be filled, has long been looked forward to by both the great parties in France as deciding, under ordinary circumstances, the position they are to occupy in the immediate future. The Senate has from the first been the stronghold of the reactionary factions. The elections to it brought out their best side—their activity in local matters. When M. GAMBETTA called the Senate the Great Council of the Communes, and deduced from this the conclusion that it would represent the Republican feeling which undoubtedly prevails in the majority of the communes, his usually accurate knowledge of his countrymen was for once at fault. The Senate is excellently characterized by M. GAMBETTA's name for it; and it is just because it is the great Council of the Communes that it does not represent in any exclusive or complete sense the political feeling of the country. The majority of the electors are delegates of the communes, and they represent the views of the Municipal Councils which nominate them. These views are the composite result of a large number of considerations. Politics are one consideration, and a large one; but they are not the sole consideration. The communes, in electing their Municipal Councils, do undoubtedly in these later days think a good deal about the political complexion of their representatives. But they have other things to think of at the same time. There are the local improvements and the local economies which they wish to see effected. If a man of

less satisfactory views in politics happens to hold more satisfactory views on these other points, there will naturally be a conflict in the elector's mind. After all, in ordinary times the ratepayer's nature is much the same in all countries, and we know how curiously in England political sentiment is crossed and coloured by sentiment founded on identity of opinion upon questions of local business. Probably it is just the same in France. The man who is sound about mending a bridge or paving a road will sometimes be preferred to the man who is sound upon the mutual relation of the two Chambers or the power of the MARSHAL to dismiss his Ministers. The bridge and the road are matters of everyday importance. If the one is unsafe, or if the other is full of holes, the annoyance is felt every time that there is occasion to pass over or along it. But the inconvenience of quarrels between the Legislature and the Executive, or between the two branches of the Legislature, does not come home to every man. He feels strongly about them when there is a general election at an inconvenient time, or when he is pressed to vote for a deputy whom he does not wish to see returned, or when he finds business slack, and is told that the reason of it is the reactionary policy pursued in Paris. But when these annoyances have disappeared and things are moving in their usual channel and at their usual rate, more commonplace motives resume their influence over him. The Legitimist landowner or the Bonapartist manufacturer once more appears to him a very fitting representative in a Council which has primarily to deal with local matters. He is adjured by the Republican Committees not to let this sordid consideration weigh with him. Perish every commune if the Republic can thereby be saved.

This style of reasoning is open to two objections in the eyes of the local elector. He does not see that the Republic is in any special danger, and he does not see why it should not be saved without the communes being ruined. After all, he argues, if M. Such-a-one is elected to the Municipal Council, he will only be one among many. Even if he should happen to be appointed delegate for the election of a Senator, he will still only be one among many. I shall be doing no real harm to the Republic by voting for him, whereas, if I vote for the other candidate, I shall be doing real harm to the commune. M. Such-a-one is a rich man, willing to spend money for the good of the commune and not anxious, as some of his neighbours are, to throw everything on the ratepayers. It is true he took the wrong side after the 16th of May; but that is all over now, and there are other things to be thought of than Marshal MACMAHON's follies. I am a good Republican, and if the Republic were in danger I would let everything else go, or if I were voting for a deputy I would let everything else go. But now the Republic is not in danger, and I am voting, not for a deputy, but for a member of the village Council. It is not reasonable to expect me to treat the interests of the village as though they were nothing when the election of a village Council is in question. One has to live in one's village no matter what form of government one lives under. In this way, in quiet times, a good many members of the Municipal Councils get returned who do not in the least represent the political views of the people who return them. When a Royalist or a Republican enters a Municipal Council on these grounds, he has only to play his part carefully to stand a fair chance of being nominated delegate for the election of a Senator. Of course, if he parades his unpopular politics he will not be nominated. The Republicans will probably be in a majority in the Council, and they will not appoint a delegate who is notoriously opposed to them. But, supposing that the reactionary member has kept his opinions to himself, that he has shown himself very active in all local matters, very sensible about the bridge and the road, and very generous when it came to be decided who was to pay for repaving them, it is not at all unlikely that he will be nominated delegate. He is the best known man and the most popular man in the Council; he has probably been elected its Mayor, or he has had a determining voice in choosing the Mayor, and when the Council has to choose a representative for any purpose, it is of him naturally that they first think. In this way the character of the electoral colleges which return the Senators becomes insensibly modified. The best constructed calculation as to the political colour of the several communes may not work out true, and where the Republicans felt most confident of victory they may find defeat waiting for them.

The three sections of the Left have put out addresses

designed to counteract this tendency as far as it is possible to do so. These addresses remind the electors how large a share the Senate had in the 16th of May. If the Senate had not been known to be ready to vote a dissolution, the MARSHAL could not have appealed to the country, and if he could not have appealed to the country, he would never have dismissed his Ministers. Another 16th of May would equally give way before the patriotic resistance which the last encountered; but there might be conflicts which would injure trade by destroying public confidence. Every man of business therefore, if he knows his own interest, will vote for the Republican candidate. A Republican Senate means an improving trade; a reactionary Senate means arrested trade. There is no doubt that this is the right tone to take in addressing these electors. It is practical considerations that are likely to carry them in the direction of Conservatism, and the best chance of neutralizing this tendency is to show them that a more enlightened estimate of these practical considerations really points in the opposite direction. It is a significant fact that the Right have not been able to put forward any common address. The parties which united after the 16th of May and separated after the 14th of October find it impossible to come together again. Even in view of so serious a reverse as the election of a Republican Senate, they cannot compose their differences or agree either as to a leader or a policy. As regards Marshal MACMAHON, Legitimists and Bonapartists alike are in the position of burnt children. They have tried allying themselves with him, and nothing but harm has come of it. And what is even more to the purpose, they have tried allying themselves with one another and nothing but harm has come of it. Each side has displeased its most disinterested supporters by the concessions it has made to its new friends, and it has not gained any fresh power in the country to make up for the annoyances springing from this displeasure. The more probable success appeared the more reasonable men in both parties were driven to ask what success would mean for the cause they had at heart? The triumph of a coalition of Royalists and Bonapartists could not remain a joint triumph a moment after it was won. One or other of the allies must reap the fruits of their joint labours. During the months that have followed the 13th of December there has been time for the rank and file of both parties to lay this pregnant reflection to heart. It is more likely to make an impression upon them than upon their leaders, because they have not the excitement of preparation which tends to blind the leaders to the hopelessness of a renewed conflict. When, therefore, even the leaders are at a loss how to frame a common programme for the future, their followers are likely to view such a programme with but scanty favour, supposing it should after all be framed. The chances of the Conservatives in the senatorial elections depend on more general, and therefore less manageable, considerations than any associated with the particular factions of which the Conservative party is for the moment composed.

INDIAN PEASANTS AND MONEY-LENDERS.

A FEW months ago Mr. PEDDER, who had had ample opportunities of making himself well acquainted with the subject he discussed, gave a graphic account of the miseries which the lower classes in India suffer at the hands of money-lenders. The theme has now been taken up by the vigorous pen of Miss NIGHTINGALE, who is so full of the sorrows of the ryots that she longs for every one to be of the same mind as herself. She begins by asserting that no one in England cares for India; this is to pique our interest, and stir us to the proper boiling-point. She is sure that if we did care for India, we should recoil in horror from the infinite miseries that are not only compatible with our rule, but actually in some degree caused by it. "The saddest sight in the whole world is the peasant in our Eastern Empire." This is one of those burning sentences which are certainly calculated to move us. If the people over whom we rule are still more wretched than those over whom the SULTAN rules, who are we that we should propose to inflict a new curse on Asia Minor? We hope that the true explanation of this tremendous statement may be that Miss NIGHTINGALE feels rather than reasons. She surveys India and things Indian in the quality not of a statesman but of an angel of

mercy. She writes out of the fulness of her heart, and it must be owned that, apart from her strong statements, she does well to be angry. She is indignant at the strange power over the Indian debtor which our law gives to the Indian creditor. Mr. PEDDER had been over the ground before, and it is by no means a new subject of anxious thought to the rulers of India. One high official after another has recorded in print his sense of the pitiable misery to which the practice of borrowing at usurious rates has reduced the inhabitants of large districts of India. And the evil, as Mr. PEDDER has pointed out, is a growing one. It was precisely because the natives of the Bombay Presidency were crippled with debt and harassed by uncertainties of tenure that the Bombay Land Settlement was made, whereby the cultivators were guaranteed in their holdings on a very low assessment fixed for the period of a generation. At first all went well. The times were good. Railways were being constructed, money was poured into the country, wages rose, the cultivator was better off, and longed for nothing so much as the means of acquiring more land. The cotton supply was stopped from America, and Bombay had a new source of wealth. But as time went on the state of affairs became more gloomy. The railways were finished, and cotton could scarcely be sold at a remunerative price. The cultivators again got into debt, and the money-lenders made fortunes out of the ruin of the poor. In recent years the awful calamity of famines caused by drought has come to sweep the unhappy peasantry into lower depths of misery. That the influence of the money-lenders has been pernicious is incontestable; but, when we speak of the misery of the natives, we must remember that we are speaking of a misery which has been in a large measure caused by bad times followed by a famine. One thing, too, must be added. Miss NIGHTINGALE speaks of the disgrace that it is to us that such misery should be endured by the most industrious of men inhabiting the most fertile soils. This is, we believe, quite a mistake. The natives of India may be industrious, in the sense that they take four hours to do what a European could do in one, but the soil of India, as a whole, is not fertile. For the most part it is far from fertile, and its qualities are not improved by manure. If there was not a money-lender in India, the peasants would still be persons who in bad times and amid occasional famines from drought are trying, by rude and feeble processes of husbandry, to get enough to sustain life out of a not very grateful soil in a precarious climate.

If, however, the case against the money-lenders is stated without the exaggeration of implying that they and they alone spoil the happiness of the peasants, it is a very strong case, and it is one which deserves close attention. Some little time ago there was a sort of mild outbreak in the Deccan against the money-lenders on the part of their victims. Little, if any, damage was done to person or property, but the rioters took such means as seemed to them effective for destroying the documents by which their debts were to be proved. The Government instituted an inquiry, and the facts elicited were very startling; and they were facts such as seemed sufficiently proved to officials accustomed to such inquiries, and not merely to outsiders or indignant philanthropists. The borrower must, he thinks, have money at any cost. He is willing to give 30, 40, or even 100 percent. by way of interest. The lender lets him go on until he chooses to enforce his bond, and then the borrower is taken to prison, his land is sold, and he is entirely ruined, and has no choice but to become the day labourer of the person who has ruined him. Often without submitting to the final process of the law the borrower becomes practically the bondsman of the creditor. A lender lets a servant have a little sum at an exorbitant rate of interest, which goes on rolling up until the sum becomes one totally beyond the borrower's power to pay. If the servant resents the treatment to which he may happen at any time to be exposed, and thinks of leaving his master, the bond is instantly produced, and he is obliged to stay where he is, unless he prefers to face the legal consequences of his original imprudence. In these ways the money-lenders obtain such a mastery over many humble people that their victims are in a state which is not far removed from one of slavery, and occasionally are driven, it is alleged, to purchase a respite from persecution by the dishonour of their families. It is perhaps useless to go further into details, for all the sad tales of distress, extortion, and roguery which have been collected always come to this—that the lenders

cheat the natives in the accounts supposed to be kept between them, force them out of their holdings, or, by the threat of ruin, keep them in a state of bondage. Very great and very widely-spread misery is the result, and it requires only a moderate amount of that care for India which Miss NIGHTINGALE thinks we none of us bestow, to feel a strong feeling of sorrow that in a country ruled by honest Englishmen and not by wicked Pashas so much misery should exist.

What, then, can be done to alleviate or prevent this misery? In the first place, it must be recognized that the peasant really is obliged to borrow. He is a proprietor without any capital whatever. This is the root of the whole mischief. He starts on an enterprise which necessarily requires something to begin with, and he has nothing to begin with. A tiller of the soil, if he is to grow crops and live on them or by them, must first of all sow seed and then wait and sustain himself until the seed has sprung up and the crops have grown to maturity. But the Indian proprietor has no grain to sow, and nothing to live on until he can get his crops in. He therefore goes to some one who will lend him grain to sow, and who will also lend him food, or money to buy food, until harvest. The money-lender is thus an indispensable partner in a hazardous enterprise, and he makes hard terms. But it is obvious that the rate of interest charged ought not to be judged by the standard of English rates of interest where the borrower has something against which the lender advances. The Indian peasant has nothing at all against what he borrows except the ownership of land, which is useless to him unless he borrows, and his own future industry. An English bank, except so far as his plot of land would be a security, would not charge him usurious rates, but would simply decline to deal with him at all. The Indian Government thought that a useful experiment ought to be tried. It decided that it would be the banker, and offered to lend money at a moderate rate of interest. But, as what was really mortgaged was the borrower's future industry, it thought itself entitled to see that he was going on in a proper way, and was cultivating his land as he had engaged to cultivate it. This necessitated an interference which the ryot resented. He altogether declined to borrow of the English Government, and preferred to do business with the native money-lender, who at any rate allowed him to go on for a time in his own way. This fact throws a most instructive light on the whole set of circumstances which has led to the mournful state of things that now exists. The peasants must borrow, and will borrow, of the native lenders. In what way, then, is the law answerable for the consequences of the peasants' own acts? In the first place, it is said that a great number of the documents brought into Court are forgeries, and the Court ought, it is urged, to find out when this is the case. This appears to be a grievance totally outside the main grievance. No doubt forgeries ought, if possible, to be prevented. It is extremely difficult to prevent them, but probably some machinery might be invented which would go far to lessen the evil. If, for example, bonds to be effectual had to be registered, a great obstacle would be interposed in the way of forgery; but the ryots have such a dislike to revealing their affairs to Government officials that they might possibly think the remedy worse than the disease. In any case forgeries must be comparatively rare. What the ryots complain of is that unfair advantage is taken of bonds which they own they have signed. The causes of their complaint appear to be two. They have been in debt from time immemorial; but their condition was alleviated by a rule of their law that the interest could never exceed the principal of the debt, and by the extreme difficulty of land being transferred. The remedies of the creditor were imperfect, and so the borrowers set them to some extent at defiance. Under our system land is transferred as soon as there is a judgment against the debtor, and thus the very perfection of the legal system tells against the ryot, and the interest is allowed to accumulate to any extent. The Indian Government has at present a Bill under its consideration for protecting the borrower. No account of its provisions has as yet, we believe, been published; but Miss NIGHTINGALE pronounces it to be a very poor and tame affair. It is to be feared that she would heartily despise any Bill that could be passed. To forbid lending, or to prevent it indirectly by sanctioning no other terms than those on which no capitalist would lend, would be to condemn vast

masses of human beings to certain starvation, unless the Government stepped in and presented the peasants with capital. It cannot lend them capital, for they will not borrow from it, and the only alternative to a Government grant of capital is that private persons should lend it. But private persons will only lend it on terms sufficiently remunerative. There is, therefore, we fear, no chance whatever that the general system of money-lending in India can be stopped until the day comes, if it ever comes, when the soil will be in the hands of proprietors who have enough capital to grow a crop before they borrow against it. All that can be done is to regulate the system as far as possible, and to guard against its more flagrant abuses.

THE IRISH SUNDAY CLOSING BILL.

IT was stated in the *Daily News* of Thursday that, in consequence of the lateness of the Session, the supporters of the Irish Sunday Closing Bill had abandoned the intention of pressing the further consideration of the Bill on the House of Commons this year. The announcement was grammatically inaccurate, but its substance was reasonable, and congruous with the period of the year. It appeared the more authentic because its supposed framers went on to say that occasion would be taken to call the attention of the House to the conduct of the Government in connexion with the measure. The supporters of the Irish Sunday Closing Bill have never lost an opportunity of commenting on the conduct of the Government in connexion with this unlucky question, and it was not to be expected that The O'CONNOR DON would find himself on his legs for the purpose of withdrawing the Bill, and not remain on them for the pleasanter purpose of scolding those by whose shortcomings the need for withdrawing it had arisen. Like many other probable assertions, however, it seems that the announcement is not true. The very next morning there appeared a contradiction of it. There is no foundation, the *Daily News* was requested to say, for the statement that the Irish Sunday Closing Bill is not to be pressed. Late as it is in the Session, and obstinate as the opponents of the Bill have shown themselves, another effort is to be made, not to carry the Bill—for that is now impossible—but to convince a sceptical world that it ought to be carried. It is not said that there is no foundation for the statement that occasion will be taken to call the attention of the House to the conduct of the Government. That part of the hypothetical arrangement will, there is no doubt, be carried out to the letter. Throughout another night of obstruction and re-creation the Government will be taken to task for breach of faith and weakness of purpose, and, when the morning dawns, Ministers will once more go home with a sad consciousness that they have deserved all that has been said of them, though they may not have deserved it in the sense in which it was spoken. They have been weak in consenting to support a Bill which they did not really believe to be a good Bill. They have broken faith with the country by agreeing to legislate for one part of the United Kingdom upon principles the application of which to another part they are prepared to resist with as much stoutness as their characteristic want of fibre allows. They know perfectly well that the whole history of their connexion with the Irish Sunday closing agitation is discreditable to themselves and humiliating to some of their stoutest supporters. Those who have charge of the Bill know this too, and they are determined that, as they cannot make their Bill law this Session, they will, at all events, make it a nuisance to the Government which, as they think, might have made it law.

There is really very little to be said upon this unpleasant subject. We call it unpleasant because it is impossible to regard with entire satisfaction the conduct of any of the parties concerned in it. The promoters of the Bill deserve whatever credit is due to presumably honest fanatics, and this is the largest measure of praise that can be allotted in the business. The opponents of the Bill have done good service in securing another interval of reflection both for the Government and the Legislature; but they have attained their end by a liberal use of tactics which under present circumstances it is dangerous to recognize as permissible. There is, no doubt, a very broad distinction between obstruction directed against the progress of a particular measure and obstruction directed against the progress of public business generally; and a few years

back we should have thought ourselves needlessly scrupulous if we had made any objection to the treatment which the Irish Sunday Closing Bill has met with. But since obstruction has been raised to the dignity of a public enemy, it is impossible not to feel grave doubts whether it ought ever to be resorted to by well-intentioned members of Parliament. Those who use it for a lawful end do in some measure disqualify themselves for opposing those who use it for an unlawful end, and the danger of its being employed in this latter way is too real and too near to be trifled with. The passing of a bad Act of Parliament is a public misfortune; but it is not so great a misfortune as the suspension of the progress of business in the House of Commons, or the avoidance of that suspension at the sacrifice of those rules of debate which will always be necessary to secure a proper regard for the opinions of minorities. To encourage obstruction is to run the risk of being forced to choose between these disastrous alternatives; and there can be no greater encouragement to obstruction than to occasionally condescend to employ it. As regards the Government, the part which they have played has not even been invested with that veneer of respectability which comes from success. They have sacrificed sound principle and their own convictions to the desire to be popular in Ireland; and the victims were scarcely slain before it turned out that the sacrifice had been made to no purpose. The unanimity of Irish opinion on the subject was altogether imaginary. It was simply that apparent agreement which always exists so long as only one side has taken the trouble to open its mouth. If one half of the nation wants to shut up public-houses on Sunday, the other half wants to keep them open, and it is not even clear whether the latter half is the larger of the two. Placed in the dilemma of having either to break their word to the supporters of the Bill or to associate themselves with the coercion of moderate drinkers in Ireland, by a coalition of drunkards and total abstainers, the Government have tried to make the best of a bad business by making the Bill as inoperative as possible. The theory on which it is based being that Sunday is the most drunken day in the week, and that if public-houses are closed on Sunday there will be fewer opportunities for getting drunk, the application of the remedy has been made ridiculous by the withdrawal of the largest towns from its operation. If Sunday is the most drunken day anywhere, it is so in the very place in which public-houses are not to be kept shut. By leaving this loophole open the Government have thought to hunt with the hounds and run with the hare. How far they have succeeded there is no need to say.

The only practical object of recurring to the subject is to appeal to the Government to use the opportunity of the recess to reconsider their policy with regard to this ill-starred measure. They have a right to say that their original consent to the Bill was given under a misapprehension. This is no justification of their giving their consent, because the misapprehension referred only to the existence of an alleged desire for the measure on the part of Irishmen, not to the propriety of yielding to such a desire. But it is, at least, a justification for refusing to support the Bill any longer. This Session ought, at all events, to see the last of these unworthy efforts to find a middle course between opposite dangers. The Government cannot come out of the scrape without offending some one, and it is best to offend those who misled them into thinking that Irishmen were unanimous in demanding the closing of public-houses on Sunday. It is too late, we admit, for Ministers to proclaim the principle that what would in England be an unjustifiable interference with the freedom of the sober majority in the supposed interest of the drunken minority does not become justifiable by the mere fact that it is to be confined to Ireland. They have consented to do in Ireland what they would think it wrong to do in England, and from the consequences of that error they cannot wholly escape. But it is not too late for them to say that they have been misinformed as to the facts in consideration of which they committed the error. A promise given under such conditions ceases to be binding when those who gave it have become better acquainted with the facts and have discovered that they do not bear out the representations on which they acted. It is not the wish of the Irish people that public-houses should be closed on Sundays, and the Government cannot too soon cease to make believe that it is their wish.

EDUCATION AND ITS COST.

LORD GEORGE HAMILTON had a pleasanter task on Monday than most Ministers who are forced to ask for more money than in previous years. An increase in the Education Estimates means presumably a proportionate extension of education; and, as this is a point on which both parties profess an ardent enthusiasm, it is difficult for either to raise objections to an expenditure which, however much it may grow, can only grow contemporaneously with the results it is intended to produce. As elementary schools become better attended, and as the children attending them become better able to pass the Inspector's examination, the sum needed to meet the Government grant necessarily rises; and, so long as this rise is due to the increase in the attendances or the passes, it need be no cause of alarm. If, on the other hand, the rate of grant per scholar should go on increasing, there may be ground for Mr. FORSTER'S fear lest Imperial resources should be burdened in order to save local resources. The tendency to relieve the ratepayer at the expense of the taxpayer is a permanent tendency, and it reappears in such unlooked-for ways that it cannot be too carefully guarded against. The desire of most educational reformers is to have the children in elementary schools taught more subjects, and the most obvious means of attaining this end is to get the Government to offer a grant for passing in more subjects. In this way it is conceivable that the money voted by Parliament may in time bear a much larger proportion than it now bears to the money drawn from other sources. There is no reason to suppose that the education given in Board schools is as advanced as Mr. WHEELHOUSE seems to suppose; but there is some danger that in the reasonable desire to make elementary schools as good as possible, the fact that in so far as they are supported by the ratepayers they are supported by many very poor men may be forgotten. All money paid by the community to provide elementary education, whether it comes from the taxes or from the rates, is money given to save the parent from the burden of educating his own child. The evils of ignorance are great enough fully to justify this practice, but we must be careful not to exaggerate or misrepresent them. In itself it would be a gain to the community no doubt if every child born in the country could receive a thorough education, but it would be a gain so dearly purchased as to be tantamount to a ruinous loss. The utmost that the State can safely do is to guard the children of the poor against that total ignorance which is likely to render them a burden to society in later life. If anything more than this is attempted, it should be done at the cost either of the parent or of private benevolence.

Lord GEORGE HAMILTON made a very fair retort on those members of the Liberal party who in 1870 and 1876 avowed a desire to get rid of voluntary schools altogether. By an ingenious calculation he showed that, if all the schools in receipt of the Government grant were Board schools, the education rate would amount to 6,750,000*l.* It might be answered that, as voluntary schools and School Board schools overlap to some extent, the number of the latter, supposing that they stood alone, would not be so great as the number of the two kinds taken together. But, even after allowance has been made for this fact, it cannot be doubted that the abolition of voluntary schools would have immensely increased the burdens of the ratepayers. As it is, they do not always show themselves quite patient under these burdens. What would they have done if the education rate were twelve times as much as it is? Lord GEORGE HAMILTON is quite right in saying that there would have been a spontaneous and ubiquitous outcry against education, which it would have been impossible for the Government or Parliament to stand up against. The ingenious device of making voluntary schools and School Board schools play the part of rivals for popular favour has saved us from this catastrophe. Denominational energy has been stimulated to render Board Schools unnecessary, and where it has been unable to keep them out, its competition has stimulated undenominational energy to prove that a School Board school can be as good as or even better than the best voluntary school. In this way the rates have been spared, and the process of paying such increase as was unavoidable has been rendered less distasteful. It is no doubt true that the existence of voluntary and School Board schools side by side leads

occasionally to a needless multiplication of schools; but so long as less is paid for the larger number of schools than would be paid for the smaller number, and so long also as a large part even of this lesser sum is provided by voluntary subscription, the most strait-laced reformer need not trouble himself to make a change.

A good deal was said in the discussion which followed Lord GEORGE HAMILTON'S speech about the undue labour which is thrown upon elementary teachers by the enormous multiplication of returns. A teacher's time is, or ought to be, pretty fully employed either in actually teaching the children or in preparing himself to teach them hereafter. If, in addition to this work, he is made to fill up many sheets of returns for the information of the Education Department, it is plain that the time required must be deducted from that which ought to be employed in one of these two ways. It is not to be expected that a teacher will forego needful food or needful exercise; indeed, if he did so, the results, as regards the children under his care, would be no better than if he directly neglected them. What usually happens is, either that the teacher's attention is diverted from the children before him to the return which is lying on his desk, or that he goes on drawing on such knowledge as he has instead of increasing his stock. Either way the children suffer in order that the Education Department may be better informed. So long as public money is distributed on specific conditions, returns showing that these conditions have been complied with will remain indispensable. But it is the tendency of returns to grow at a much faster rate than the real need for them. A department naturally looks mainly to the completeness and utility of the information supplied, and if any proposed improvement promises to increase the value of a set of returns in either of these respects, it is adopted possibly without much thought how much additional labour may be imposed on the unfortunate teacher. Mr. FORSTER says that the recent multiplication of returns is largely owing to a provision in the Act of 1876, which authorizes the Government to accept a certain number of attendances in lieu of a pass in the prescribed standard, and he suggests that this alternative should be abolished, and that no child under the age of fourteen shall be employed unless he has passed an examination. There is no question that the change would very much lessen the labour of the teacher in preparing returns. The fact that a child has passed an examination admits of being ascertained with a very much less expenditure of paper and ink than the fact that he has made a certain considerable number of school attendances. At the same time to insist on a child's passing an examination is a severer form of compulsion than to insist on his attending school. Nervousness or accident may prevent a child from satisfying the former test, and it would be hard on his parents to deprive them of his wages for a whole year as a penalty for what after all may have been neither his fault nor theirs. Lord GEORGE HAMILTON has promised to give the subject his attention during the recess, but he is not very hopeful that any great change can be effected. There is not much probability that the Government will take the only step which can materially reduce the amount of statistics which have to be prepared by some one; but it may be worthy of consideration whether something may not be done to encourage their being prepared by some other hands than those of the schoolmaster. In a large school, at all events, there would perhaps be enough to do in this way to take up the time of a clerk, and the employment of such an officer, as it would leave the schoolmaster free to do his proper work, might in the end be a real economy. In some cases this expedient might have the further advantage of providing a check on the accuracy and good faith of the figures supplied to the department. Garbled returns can hardly be absolutely unknown things in elementary schools, but they might be less often met with if they were not prepared by the teacher.

THE EXECUTION ON BOARD THE BEAGLE.

THAT the execution on board one of HER MAJESTY'S ships of a South Sea Islander, accused of having assisted in the murder of an Englishman, was a fit subject for notice in the House of Commons there can be little doubt, and it is therefore the more to be regretted that the censors of the Government showed, as usual, their utter

inability to understand the advantages of moderation in criticizing the conduct of those in office. It is true that the attack was on this occasion conducted by members who are at best in the second rank, not by the leaders of the party; but it is to be feared that the minor politicians were copying, only too faithfully, the method of proceeding followed by the greater ones, and that, in their mismanagement of the case which was brought forward, Mr. GORST and his followers were adhering strictly to, not departing from, the method of fighting Parliamentary battles which, most unhappily for the Liberal cause, some of the Liberal leaders have for a considerable time past adopted. Perhaps it may seem hard to blame subordinate speakers for imitating the mistakes of those who ought to have shown them better how to conduct political contests; still it is greatly to be regretted that, in the treatment of a question of no small gravity, there should have been the usual want of dignity and temperance.

The case was indeed by no means fit to be made the ground of an angry attack, inasmuch as it was extremely difficult to say what course ought to have been pursued by the persons principally concerned. How trying their position was may be seen from a statement of the facts, although these are still in some respects obscure. It appears that there have been repeated murders of white men in the island of Tanna in the South Pacific. The last victim was a man named EASTERBROOK, who in April 1877 came on board an English man-of-war very seriously wounded. He was removed to the missionary's house, where he died. There was no doubt that he had been killed by a native; and, as this was the tenth murder which had occurred within nine years, it was clearly necessary that some measures should be taken to teach the islanders that they could not commit these crimes with impunity. The matter was brought to the notice of Commodore HOSKINS, who is now senior officer on the Australian station; and he directed Lieutenant CAFFYN, in command of the *Beagle*, to proceed with his vessel to Port Resolution in Tanna—after communicating with the Consul at Noumea, in South Caledonia—and to inquire fully into all the circumstances of the murder. If convinced that it was not EASTERBROOK's misconduct which had led to his being killed, Lieutenant CAFFYN was to endeavour to obtain possession of the murderer, and, if successful in doing this, was to cause him to be executed. In obedience to these orders, Lieutenant CAFFYN went to Tanna, and, after consultation with the missionary, Mr. FIELDEN, demanded of the chief men of the place that the assassin should be given up. This was refused; but Mr. FIELDEN succeeded in discovering the criminal, a native named YUHMAGA, who admitted that he had killed EASTERBROOK, and stated that he had done so because the Englishman had an intrigue with a woman belonging to him. Whether this woman was the wife of YUHMAGA, or of a friend of his named NAPAOK, does not, however, seem to be clear. There was no doubt, from evidence which came to light after YUHMAGA had been discovered to be the murderer, that he had been instigated or employed to commit the crime by NAPAOK; but then this man had a quarrel with EASTERBROOK about a matter which had nothing whatever to do with the offence which, according to YUHMAGA, was the cause of EASTERBROOK's being killed. YUHMAGA unfortunately escaped before the seamen who had been sent from the *Beagle* to bring him on board that vessel could seize him. As has been seen, it was clear that he was the man who actually assassinated EASTERBROOK; but, after his escape, it was discovered that his brother, named NOKWAI, had been with him at the time of the murder. This man admitted that he was with YUHMAGA when the Englishman was killed, but said that he took no part in killing him. Lieutenant CAFFYN appears, not on the whole unnaturally, to have come to the conclusion that NOKWAI had gone to aid his brother, if necessary, and, considering him as an accomplice, caused him to be executed.

It may be doubted whether this proceeding is likely to be altogether approved of by most Englishmen, though it is not at all easy to say that it was unjustifiable. There is something painful in the fact of the smaller criminal having been executed, and of the greater one having escaped. It may be thought that, inasmuch as NOKWAI did not appear to have taken part in the murder, his offence was a slight one according to such ideas as savages have of right or wrong, and that to execute him must have appeared, therefore, an act of vengeance rather than of justice. Possibly the execution on board the *Beagle*

may have tended to produce this impression; but, nevertheless, it can scarcely be looked upon as a wrongful act. As we have said, the murder of EASTERBROOK was the tenth which had occurred in Tanna. Clearly there was a necessity for putting a stop to these crimes and for teaching the natives that they could not assassinate with safety. Lieutenant CAFFYN, it is to be observed, began by demanding the surrender of the murderer. This was refused, although there seems to have been no difficulty in discovering who the man was. If, after the escape of YUHMAGA, the naval officer had withdrawn without doing anything, the natives would have been confirmed in the belief that they could kill Englishmen as they pleased, and this belief would very soon have had practical results. Lieutenant CAFFYN might, it is true, have taught them the necessary lesson by destroying a village, which has been done on previous occasions; and Sir JOHN HAY frankly stated in his speech that he would "rather have seen a crowd of natives fired upon, and NOKWAI and others, including even innocent people, killed by the legitimate methods of warfare, than that such a deed as that which was done on board the *Beagle* should have been committed." The gallant Admiral is to be admired for the frankness with which he stated his opinion, but probably few will be found to hold that it is better to kill a large number of innocent people by the regular methods of warfare than to execute one criminal in a manner not justified by the rules of international law. It may be said that NOKWAI was not clearly a criminal, as his guilt was doubtful; but it seems to be tolerably certain that he went with YUHMAGA to help him in case of need, and was therefore both legally and morally guilty. On the whole, then, Lieutenant CAFFYN cannot be greatly blamed for the course which he took under very difficult circumstances. It is, however, much to be regretted that he did not succeed in capturing YUHMAGA.

In the debate of Monday last the bitterness and weakness which now so often mark the speeches from the Opposition benches were painfully manifest. Mr. GORST, who brought the subject before the House, said, of Commodore HOSKINS, that he "appeared to have drawn his neck out of the noose by relying on a letter of the Colonial Secretary, and upon the opinion of the Attorney-General for New South Wales." The graceful expression which Mr. GORST used with reference to a naval officer of distinguished position was certainly not called for by anything which is known. Commodore HOSKINS has, it appears from his letter to the Colonial Secretary, repeatedly refused to accede to the demands of traders who wished him to make use of the force at his command for punishing or avenging offences against persons and property, when he thought that they were in any way due to the misdeeds of the traders or to recklessness. In the present case, however, he considered that it was his duty to intervene, and surely none but those who hold that homicide loses all its evil when the man murdered is an Englishman can hold that his intervention was altogether unjustifiable. Whether he acted legally is of course another question, which, however, can hardly be settled by reference to international law. The speakers on Mr. GORST's side argued that the execution of NOKWAI was illegal, and so in one sense it undoubtedly was. If the admiral of an English squadron were to direct one of his officers to take his vessel into a French harbour, and there to capture and execute a Frenchman who had murdered an Englishman, his conduct would of course be altogether opposed to the first principles of international law, and would amount to an act of war unless immediately disavowed and punished by the Government, as it indisputably would be. If judged by this analogy, the execution of NOKWAI was illegal; but it has been shown again and again that it is impossible to regulate dealings with barbarians by the rules which govern the relations of civilized communities. If an Englishman were murdered in France or Germany, his murderer, if discovered, would be tried and in all probability executed. Amongst savages the murder of a stranger is often not regarded as an offence. International law does not apply where no law exists, and it can hardly be maintained that a great Power is either to leave assassinations of its subjects by members of a savage tribe unpunished, or else to make regular war, which must do the offending tribe enormous injury.

International law, therefore, can hardly be appealed to. The municipal law of England was also said by the assailants of the Government to have been violated, but a naval officer could hardly be expected to be acquainted

with criminal procedure. All that he could do was to ascertain to the best of his ability whether the man whom he had seized was concerned in the murder. The real questions for consideration in Parliament were, not whether NOKWAI's execution was an act of war or whether certain rules were disregarded, but whether the case brought before the COMMODORE was such as to justify very strong measures, and whether NOKWAI was an accomplice in the murder. It cannot be denied that these questions are full of difficulty, but, on the whole, it appears that the Government, who have abstained from blaming Commodore HOSKINS and his subordinates, have acted rightly. There was a good deal to be said against the course which has been taken, but in the debate the virulence of the Opposition gave, as usual, an easy victory to the Ministry.

MIXED MARRIAGES.

THE case decided the other day by Vice-Chancellor Malins, "*in re Agar Ellis*," although, or rather because, we have no doubt the decision was legally correct, does not say very much for the good sense of the parties most immediately concerned. The main facts, as they came out on the hearing, are these. In 1864, after two years' courtship, Mr. Agar Ellis married Miss Stonor, a daughter of Lord Camoys, "a Roman Catholic and member of one of the oldest Catholic families in England," as the Vice-Chancellor expressed it. The delay about the marriage had arisen out of religious difficulties, the lady insisting that according to the law of the Church she could not marry a Protestant, except with an express agreement that all the children should be brought up in her own faith. This, we may observe in passing, is a rule which has only been enforced in England of late years, we believe for some twenty or thirty years. It was the previous custom to allow the religion of the children to be determined by their sex, the boys following their father's and the girls their mother's creed. But no mixed marriage can now be celebrated by a Roman Catholic priest in England without an express stipulation that all the children of either sex shall be trained up as Catholics. It is a characteristic blunder of the *Times* to add that, if the marriage is solemnized without "the sacramental rites"—namely, the Roman Catholic service—it is "in the eyes of the Church no marriage at all." The sacrament of marriage, according to Roman Catholic teaching and canon law, does not depend on any rites at all, Catholic or Protestant, but solely on the consent of the parties, as is still the law of Scotland, and a marriage by an Anglican clergyman or at a Registrar's Office is just as valid in the eye of the Church as if Cardinal Manning had pronounced the nuptial benediction. But such a procedure would of course be considered exceedingly culpable on the part of a Roman Catholic, and would, we presume, expose the culprit to spiritual censures or disabilities of some kind. At all events, Mr. Agar Ellis, after standing out for two years, eventually agreed to the terms required by the lady, and made a definite promise, as the Court held to be proved, that "all the children there might be of the marriage should be brought up in the Catholic faith." He and Miss Stonor were accordingly married by her brother, Mgr. Stonor, in February 1864 at the Catholic church in Warwick Street, and afterwards at a Protestant church. Here we may again observe that 1864 is the last year when this double ceremony could have taken place, for as soon as Archbishop Manning succeeded Cardinal Wiseman he promulgated an edict, which has led to many heart-burnings and quarrels, forbidding his clergy to celebrate a marriage which was to be followed by the Protestant ceremony. That difficulty, however, does not arise in the present case.

Mr. Agar Ellis, so far as we can judge from the evidence, appears to be a person of rather undecided character. We have seen that at the beginning of 1864 he had promised to allow all his children to be brought up in his wife's faith, and that she had consented to marry him only on the faith of this pledge. In November of that same year the first child, a boy who has since died, was born and was baptized by a Roman Catholic priest, "as Mr. Ellis alleges, against his will." It seems odd that he should have so soon changed his mind, and odd also, if he had changed his mind, that he should have allowed his wishes in the matter to be deliberately and permanently set aside. Three other children, all girls, have been born since, who are now respectively in their tenth, twelfth, and thirteenth years. They also have been baptized and brought up "in the strict exercise of the Catholic faith" by their mother, and have been regularly taken to confession, "unknown," it is alleged to their father, "and contrary to his wishes"—which also seems very odd; the more so as Mrs. Ellis has evidently not made any secret of her views on the subject, for "ever since 1864"—that is ever since their marriage—constant differences on the question of religion are stated to have been going on between her husband and herself. At last matters came to a crisis when one of the children—not very unnaturally under the circumstances—"actually refused to accompany her father to a Protestant church," and was punished by him in consequence. Whereupon Mrs. Ellis presented her petition to the Court and Mr. Ellis made his daughters wards of Chancery. We have already said that we are aware of no reason for questioning the

legality of the Vice-Chancellor's decision. The father, as he puts it, is head of his house and must have the control of his family, and the Court will only interfere with that control when he is bringing up his children in irreligion or is guilty of grossly immoral conduct. Shelley was deprived of the charge of his children on both pretexts; Mr. Besant's written agreement to allow his wife the custody of their daughter was, at his request, cancelled on somewhat similar grounds the other day. But as regards the difference between Catholicism and Protestantism the law is neutral; neither faith can be considered immoral or irreligious; and the question thus resolves itself simply into the legal value of the husband's promise to hand over the religious training of his children to their mother. In a case of the same kind which arose in Ireland a Roman Catholic judge, Lord O'Hagan, decided that such a promise is not binding in law, and consequently relegated some children who had been educated as Catholics up to ten years old to the charge of their Protestant father. Vice-Chancellor Malins only followed this precedent in ruling that Mr. Ellis's "antenuptial agreement was not binding at law or in equity." He therefore dismissed Mrs. Ellis's petition with costs, and warned her that she was bound "by the law of England, and by the law of Christianity"—rather a gratuitous *obiter dictum* perhaps—to submit to her husband in the matter, and directed that the children were not henceforth to be taken to Catholic worship or taught any of the distinctive doctrines of the Catholic faith.

That is the legal aspect of the case, nor does it offer, so far, any just ground of complaint. But there was another aspect of it too obvious to escape the Vice-Chancellor's notice, and he accompanied his formal judgment with a sensible but somewhat incongruous piece of advice to Mr. Ellis, that he would find it more conducive to the comfort and happiness of all if he were to give up the contest and submit to the wishes of his wife, "as it was tolerably certain that she would not submit to his," and he would be beaten in the long run. To which we may add that, as fourteen is the age fixed by the law of England when children may choose their own religion, the eldest of these children will be able in a year and a half, and the youngest in four years and a half, to make her own election in the matter. And it is hardly likely that girls who have been so long brought up in "the strict exercise of the Catholic faith," and whose affections are probably wholly enlisted through their mother's influence on that side, will be disposed to choose, when the option is given them, a religion the outward profession of which has been temporarily forced on them by what they will no doubt be taught to regard as a tyrannical and treacherous exercise of paternal power. Indeed we do not see how on any theory the consistency or justice of Mr. Ellis's conduct is to be defended. In the warmth of his courtship he was perhaps willing to agree to almost any terms which his betrothed might impose:—

Thou, for my sake, at Alla's shrine,
And I at any god's for thine.

But she at all events took care from the first that there should be no mistake about her sentiments. And if Mr. Ellis was so decidedly opposed to the Catholic education of his children in December 1864 that the eldest could only receive Roman Catholic baptism against his will, it is obvious to remark that he had just the same data for forming his unfavourable judgment of his wife's creed in the previous February, when he is stated to have given her his promise to the contrary effect. Nor is it very intelligible how, with this very strong opinion, he should have allowed the boy to be brought up a Roman Catholic till his death at eight years old, and the three girls up to the present time, when the eldest of them is between twelve and thirteen. For it will hardly be seriously maintained that, while they were all living together in the same house, he was really unaware of their Catholic baptism and their regular attendance at mass and confession till, one fine day, the girls, being required—presumably for the first time—to go with him to a Protestant church, refused to do so. Nor can Mrs. Ellis be very seriously blamed for being content with a verbal promise which she had no reason to anticipate would not be held morally binding. At the same time it is clear that for the future, if the existing Roman Catholic rule is to be maintained, the only real security in the case of mixed marriages, when the husband is a Protestant, will be to have a definite agreement about the children inserted in the marriage settlement. If that is refused, the lady must make up her mind either to give up the match, or to give up insisting on the rule of her Church. Dr. Newman says somewhere in the *Apologia* that ever since one memorable occasion he has made it a rule in life never to trust to "understandings," and we would venture to offer the same advice to "persons about to marry" those of another faith. If they cannot obtain a formal agreement in black and white to the conditions which they consider essential to their religious loyalty, they had better fall back on the well-known monosyllabic counsel to those who are so circumstanced. Of course it may be objected that to insist on such conditions would be to put a check on mixed marriages. That, we presume, would be no objection in the eyes of the Roman Catholic Church, which professes to "abominate" them, and we are not sure that it would be an objection from any point of view. It is difficult to see how either Roman Catholics or Protestants who cared much about their own religion could in conscience assent to having their children brought up in a rival faith, and even short of direct contention on the subject it is neither pleasant nor profitable for husband and wife, as Vice-Chancellor Malins put it, "to go on living in a constant state of bickering." It is idle to tell the authorities of the Roman Catholic

Church that they ought to forbid mixed marriages altogether. They have a great deal too much of the wisdom of the serpent to lay down a rule which they know would be bitterly resented and not unfrequently ignored. But it is not unreasonable to urge on individual Roman Catholics the prudence of being very careful how they contract in haste alliances of which they may have too good occasion to repent at leisure. Ovid calls children "pledges of love," and it is disagreeable for all parties when they are transformed into instruments and pledges of dissension.

Meanwhile Mrs. Agar Ellis has appealed against the Vice-Chancellor's judgment, and, as the appeal cannot be heard till after the long vacation, it is directed that during the interval the children shall not be taken to a Protestant church without their mother's consent, or to a Roman Catholic church without their father's consent. We presume therefore that their Sunday worship, of whichever kind, will have to be conducted for the present in the inharmonious privacy of the domestic circle.

THE HORRORS OF BANK HOLIDAYS.

BANK HOLIDAYS are perhaps the crowning stupidity, and they are certainly the pre-eminent nuisance, of our mechanical civilization. It has been decided that every one must do the same thing at the same time. This is what is called an "industrial necessity," like traction engines, poisonous vapours, railway whistles, and that pleasing alarum which is called a "whooper" in districts where it is employed. If all the clerks did not rush from their offices, all the shopboys from their counters, and all the artisans from their machines at one and the same moment, the people who stayed at home would do too good a stroke of business. When a holiday is to be enjoyed every one must "start fair" in the general crush, as the rector of the Cornish parish said, when a shipwreck was expected. Thus all the industrial world rushes out of town at once, armed with babies, bottles, beef and ham sandwiches, trumpets, horns, brass bands, and other materials for the passing of a happy day. It is not London alone that is deserted by its vast and blaring throng. All the large towns disgorge their noisy multitudes, and the people in the little towns go up by train and tiddle in the large ones.

The *Times* devotes more than two columns to the amusements of this noisy, grimy, and perspiring day of pleasure. One is permitted to study the statistics of what the multitude seems to consider amusement. The Bank Holiday, it appears, was kept all through the United Kingdom. There was not a single place where things went on quietly and as usual. Every station was crowded with warm persons struggling for tickets, dropping bottles, losing babies, fraternizing over draughts out of stone bottles, and blowing spasmodically on horns. London was so deserted that in Fleet Street "a boy was flying his kite in the centre of the roadway." This boy was apparently the one sensible person left in town. He knew how to enjoy himself without being hustled. Better is a kite in Fleet Street, with contentment, than several sandwiches in a third-class railway carriage, and all manner of evil sounds and savours therewith. It is almost terrible to think that foreign countries do not escape the hordes of the Bank Holiday. The noisy cad "runs over" with myriads of his brethren on Friday night and consumes his native liquors on the Boulevards till Tuesday morning. The people of some of the Northern manufacturing towns hurried to Edinburgh and Glasgow. Now Edinburgh and Glasgow on a Sunday are by no means exhilarating places. Bank Holiday is in other respects like a Sunday, but the public-houses are open. They are perhaps open in Northern manufacturing towns also, but there is great virtue in whisky drunk under a strange sky. Indeed, just as the Bradford people went to Edinburgh and Glasgow, so they of Giggleswick went to Bradford. Thus the comparative study of various "taps" advances; and in this sort of thing the philanthropist recognizes the march of education, the advance of enlightened tastes, and the lofty pleasures of a free people. Of course we do not mean to say that the visitors to Edinburgh and Glasgow did nothing but drink the local toddy. No doubt they went in droves, like sheep driven into a pen, to see the sights. We do not know that there are any sights in Glasgow except the Cathedral and the new University buildings, which are not very gay. In Edinburgh, on the other hand, the stain of Rizzio's blood must have been inspected by thousands. The celebrated Scotch regalia must have struck awe into incipient Republicanism, and the flint weapons in the Museum of Antiquities may have depressed a few of the more boisterous spirits. You cannot really "do" even Edinburgh in one day, especially if most of it is spent in coming from and going to Bradford. The consciousness of this fact, combined with the gloom of a city in which no one is alive but the keeper of public-houses, must have encouraged the general belief that a holiday means whisky.

The Thames on Bank Holiday must have been a distressing spectacle. "There were excursions to Cookham, Pangbourne, Henley, Goring, and Wallingford, delightful boating and fishing centres on the Upper Thames," says the *Times*. Now "fishing centres" are only agreeable places when one can be quiet and go angling. They are mere pandemoniums when the horn sounds on every reach; when the strains of "We don't want to fight" are re-echoed in every glade; when steam-launches without number pollute the scene and drench with their wash the people on the towing-path. The more peaceful and retired a village is, the more terribly uninviting is it on a Bank Holiday. One could scarcely

climb to heights on Monday, where the blare of the exuberant cad did not follow, where the sound of his drum and of his fife was silent. There is no region not full of his labour in pursuit of pleasure. All the commons are glittering with fragments of broken glass. When the boosey holiday-maker has drunk the contents of his bottle, he naturally sets it up for a mark and throws stones at it. Every heath is white with fluttering and greasy scraps of newspaper which have wrapped up the sandwiches of 'Arry and his "pals." Even thunder showers cannot damp his patriotic ardour and his determination to proclaim that he "don't want to fight." The *Times* observes that "between nine and ten at night a series of heavy showers began to fall, which made the return of the excursionists less jovial than their setting out." Their return is generally less jovial, for they are wearied, hot, and sulky, and they have discovered that, though a crowd is hilarious, it is not refreshing. Though less jovial, the excursionists are not one whit less noisy. They stagger along, after they have left their vans, each man yelling in a loud nasal drawl some scrap of song. There is no tune, no melody, and the individualism of British character, our manly disdain of art, displays itself to the pleased listener. This is very different, the patriot thinks, from the songs of German students or Genoese shopboys, the most persistently vocal of their kind. At intervals some one of the strayed revellers gives an inarticulate shout, produces a kind of animal noise, and the others stop and laugh with yelping and discordant laughter. These things are the diversions of the shopboy, and occasionally a female voice adds a scream more shrill and piercing than those of her companions.

Enterprising reporters have acted the part of the inquisitive Caliph often enough. They have been present in disguise at dog and man fights, and have passed the night in casual wards. We do not know that any member of the profession has ever gone as an excursionist with excursionists, and chronicled the crowded delights of the day. You start early, and half asleep, in a railway carriage filled to the roof almost with your fellow-creatures. After hours of exhausting heat you are turned adrift in a strange place where all the shops are closed, and nothing looks friendly or familiar but the public-house. You may roam on the sands if you like, but the odds are that you are too exhausted with the exercise of screaming, too tired, hot, and thirsty to care for anything but more beer. The close of the day must be like the beginning of it, but even more terrible. The people are wiser who go in their thousands to some common or heath, not too far from town, and there play "kiss in the ring," and patronize wandering photographers. There is sure to be plenty of open flirtations—how, indeed, can anything be other than open and manifest to the mixed society of holiday-makers? People who thirsted for useful knowledge had the opportunity of making themselves wiser and better by going to the Crystal Palace, where there was a show of cats and dogs, "and the phonograph from time to time repeated its lesson." What is the lesson of the phonograph? Perhaps that the Latin saw is no longer true, *Volat irrevocabile verbum*. The word spoken, on the other hand, may now be bottled and kept, and the lesson of the phonograph would be invaluable if it taught holiday-makers to avoid those careless terms of affection natural in the circumstances, and apt to be used in cases of breach of promise of marriage. Elsewhere we learn that "the other outdoor attractions were hansom-cab races, in heats of two cabs at a time; trotting only was permitted." This could scarcely have excited the jaded Londoner, accustomed to see the Olympic dust collected by many more than two cabs at a time, and all manner of paces permitted.

These and such as these are the diversions of Bank Holidays. Can any one deliberately say that the race of thousands of trains, the crush, the crowd, the bewildering noise, are of the character of a true holiday? Repose and refreshment (except as understood by the licensed victuallers) are the very last things that can be looked for on the day of St. Lubbock, as the papers used facetiously to call it. The sweet influences of the country, the pure air from the sea, come to excursionists through a dense atmosphere of evil smells, evil sounds, and tobacco smoke. Quiet people everywhere are driven distracted by the din—which lasts for about twenty-four hours—of the blatant pleasure-seekers. We are so far from disliking holidays for the people that we eagerly wish to see them more numerous. A visit to still places by rivers or the sea ought not to be a rare event in the life of the clerk and mechanic. Not holidays, but the habit of making universal holiday at the same moment, and in the same hideous, unintelligent way, constitutes the nuisance. Even the *Times* observes the fact that the Bank Holiday "has an increasing tendency to absorb to itself the minor holidays, kept under the names of waygoose, beanfeast, &c., at various dates by artisans in summer." This is precisely what we object to—the concentration of many peaceful days of pleasure into one howling and barbaric orgie of drink, rowdiness, and suffering. A holiday ought to restore people to health and strength. Even outsiders take some time to recover from the horrors of Bank Holiday.

WHY?

THERE is something almost plaintive in the truly English word "why." It may be indefinitely prolonged upon the lips, and dwells on the breath, like the letter H according to Miss Fanshawe. The Latin "cur" is too curt. The French "pour-

quo!" seems a postponement of the question. But "why" is almost poetical in itself, and fitly introduces the best hexameter in the language:—

Why do the heathen rage and the people imagine a vain thing?

Its uses in poetry are almost infinite, and one modern writer makes almost a line of it alone:—

Why do the night winds sigh,
The sea-birds wildly cry,
The summer clouds pass by,
The lilies droop and die,
The light fade from the sky?
Why—oh why?

There is something, indeed, quite Homeric in the Irish lament "Whoy did ye do?" But the word has its comic aspect too, and has commenced almost every conundrum since the ancient days when the *Demaundes Joyous* of Wynkyn de Worde asked "Why a dog turns round before he lies down?" and added the answer that "He knoweth not his bed's head from his bed's foot." But to most of the whys we have to propound there is not even so good a "because" as this. It may be the weather, it may be reaction after the political excitement of the past few months, it may be because the end of the season is at hand; but we are tempted just now more than at other times to go about with an unanswerable why on our lips. The inquiring mind is puzzled to account for many things besides its own existence. Why should people leave town because it is so hot and go to the country where it is hotter? Why are the millions who live in London unanimous only in hating it? Why does anybody go to the Paris Exposition? Hundreds of such questions occur to us at every step, and no satisfactory reply can be expected. Life is too short for the man in whose unhappy head what phrenologists call "causality" is largely developed. And why, by the way, is it phrenology, and not cephalology, or something of the kind? Socrates was always saying Why, and we have all heard of Pope and the man who talked of the little crooked thing that asked questions. Why, again, have we no shorter name than "note of interrogation" for the sickle-shaped sign which rounds so many a sentence? Why, oh, why?

At this time of year, however, and in this present year, the inquirer is more than usually puzzled and embarrassed with unanswerable questions. In London, in particular, every street corner is a note of interrogation to him. Why are streets named without any apparent reference to the public convenience? Why are there more than a hundred streets called John Street, though no monarch of that name is intended to be commemorated? Why are the names only on certain corners, and not on all? Why do people write to the papers to complain of the asphalt pavement, when its only fault is that it is not universal? Why, in the greatest gas-consuming community in the world, do we submit to be supplied with a worse quality than is used in such remote places as Cairo or Malta, where every ounce of coal has to be imported from England? Many suchlike questions occur, but one obtrudes itself on our notice, especially if, like everybody else, we are on our way to the station. It is some years since we were all startled at the vastness of the sum of money the Board of Works had determined to spend in order to open Charing Cross to the Victoria Embankment; and not a sum of money only, but a vast accumulation of historical association, a treasure of picturesqueness rare in the London streets. We were, however, told to reconcile ourselves to the loss of Northumberland House—to say nothing of the first house numbered in London, 1 Strand—because of the magnificent view towards the river, the additional splendour of Trafalgar Square and the convenience of Northumberland Avenue as a relief to the crowded traffic of the streets. Such were some of the arguments put forward by the destroyer. So the "last of the riverside palaces" was removed, and the great green garden at the back was turned into a combination of gravel pits and dunghills until at length, as tall buildings begin to rise on either hand, men begin to ask why was this waste. No one has ever known his cabman go by preference through Northumberland Avenue to the Embankment. No drayman passes by that way except when he sees the eye of the constable upon him. For locomotive purposes the Avenue is a failure. It is not straight with any other road, and apparently leads from nowhere in particular to Bedlam. But there was the open space. Light was let into noisome alleys; narrow streets, where lurked in gloom pale toilers in a living tomb, and especially newspaper offices, were opened to the air and sunshine of heaven. The objector and the antiquary were silenced. They could see the publishing department of an evening contemporary and the roof of Charing Cross Station, and should be content. But even this extensive and exhilarating prospect is vanishing from the gaze of an astonished public. A semicircular structure, vaster, taller, darker than Northumberland House, intercepts the light, and fills the newly-cleared space. There is no courtyard; there is no quaintly-carven gateway, graced with portly porter; there is no oriel, no parapet of open carving, no lion with extended tail. The house may be a gaol, a factory, any useful institution, in short; but why is it there? Why did we spend half a million, and remove an interesting and beautiful historical monument, to replace it by "this etc."? Why, when it was suggested that without destroying Northumberland House it would be easy to round off a corner of the garden, and so reach the Embankment, were we told that this was impossible, and that the road must go straight through? And, now that the house is irrecoverably gone, why has the original

suggestion been adopted, another house, with a rounded corner, built on the site, and Charing Cross made, not better, but worse than it was before? Worse, we repeat; for it has neither Northumberland House nor hope of improvement. Why, as Artemus Ward would have said, is this thusness? Have we not lost all—palace, money, time; and gained—such is the irony of contemporary history—an inn?

But should the inquirer, hopeless of an answer at Charing Cross, yet anxious to find some place where there may be a use in asking questions, turn to Piccadilly, he will probably be directed to a building which was once, like Northumberland House, the palace of a noble, and famous as the monument of a great architectural genius. The gateway and the beautiful colonnade which led from it to the house itself were justly admired by all lovers of a phase of art which shows some signs of revival in our own day. There was an outcry when the removal of the colonnade was declared necessary, and eventually, if we recollect right, it was agreed that the stones should be numbered, the carvings protected, and the whole edifice carefully removed to some public garden, and re-erected. Battersea Park was, we have heard, the place chosen, and there the precious stones were deposited. But this event took place many years ago; and who has seen that portico since? Is it still lying prone upon the damp earth in the midst of that foggy wilderness? or does it beautify a vista in some Italian garden to instruct the public in the almost-forgotten charms of classical architecture, and recall the genius at once of Burlington and of Hogarth? Who can tell? It has disappeared, like Temple Bar; that alone is certain. Besides, returning to the building itself now handed over to the uses of the Royal Academy, why was the new upper story so designed as to spoil Lord Burlington's house with its nobly simple elevation? Did any architect think he could improve on it? And, when he was about improving, why did it never occur to him that students, especially female students, would require air as well as light in their drawing schools? Could he not have contrived that the great galleries might be used at least occasionally for classes? Was it absolutely necessary to the success of the institution that, as it is said on the premises, a young lady, after a few hours' instruction, must stick her head out of the door to draw a breath or two? All these things seem odd to the inquisitive soul. As old age creeps on he begins to wonder if in art as in nature there is clear evidence anywhere of intelligent design.

One more query is suggested more particularly by the travels on which we are all supposed to be about to engage. There is a well-worn story of a man who, suffering from a pain in his stomach, wished he had instead a window in his breast. Something of the kind seems to lie, half hidden, in the minds of certain railway officials of whom men talk. The railways have often enough given us pains in the back and weariness of the intercostal muscles. Now it seems they would make our balance true, and add another pain. They have organized a special service to supply the incautious traveller with a drink of iced water. Considering how often and earnestly we have been warned against tasting water which we have not seen filtered, and of which we know not the origin in the deep delved earth, it seems at first hardly likely that the public, unless prepared to encounter an immediate access of bodily suffering, with the gloomy possibilities of fever lurking in the background, will very largely avail itself of its new privilege; but why have the authorities offered it this wayside solace? We have asked many things of the railway Companies. We have begged for the abolition of the ticket trap. We have besought liberty of alighting. We have remonstrated against overcrowding and uncontinuous footboards, and the pillory pattern in carriages, and many another thing which would have cost them nothing, and would have made us comfortable indeed. And they offer us, at great trouble and much expense no doubt to themselves, a glass of cold water. What beatitude do they seek to inherit? Is it ungrateful if the inquiring mind, lost in wonder, repeats again the unanswered Why?

THE MACKONCHIE CASE.

FOR the beginning of the proceedings against Mr. Mackonochie, which have led to the judgment delivered last Thursday, we need not go further back than the 1st of June, 1874, at which date Mr. Mackonochie was cited to appear before Sir Robert Phillimore, then Dean of Arches, to answer certain charges of undue ritual brought against him by Mr. John Martin. The charges were of the usual nature, alleging the ceremonial use of lighted candles on the Communion-table at St. Albans, the introduction into the Communion Service of an unauthorized hymn, known as the "Agnus Dei," the organizing of processions in connexion with the services of the Church, the wearing of vestments, employment of wafers instead of bread, and suchlike unrecognized rites and ceremonies. Some of these charges Sir Robert Phillimore held to have been proved, and thereupon he suspended Mr. Mackonochie from exercising any spiritual function for six weeks, and further admonished him not to offend in a similar manner for the future. Mr. Mackonochie instituted an appeal to the Judicial Committee of the Privy Council; but this he subsequently abandoned, and the decree of the Dean of Arches thereupon came into force, and Mr. Mackonochie was suspended for six weeks. On March 18th of the present year, Mr. Mackonochie having, it must be supposed, persisted in those courses from which he had been

monished to abstain, and which supervening decisions had even more clearly demonstrated to be illegal, was served with notice to appear before Lord Penzance, who now sat in the seat of Sir Robert Phillimore, to show cause why further steps should not be taken against him. Of this notice Mr. Mackonochie took no heed whatever, and on the 29th of March he was served with a second monition, in which Lord Penzance called his attention to the neglected admonition of his predecessor, and enjoined compliance therewith. As Mr. Mackonochie paid no attention to this injunction, he received on the 20th of April yet another legal document, wherein it was intimated that Lord Penzance would shortly be asked to take such steps as he should think fit with reference to his continued disobedience to the monition of Sir Robert Phillimore. Mr. Mackonochie did not trouble himself to appear on this occasion any more than on the previous ones. Lord Penzance heard the case in the absence of the defendant on the 11th of May last, and, probably deeming that such persistent setting at naught of the authority of his Court called for exemplary punishment, but unwilling to elevate Mr. Mackonochie to the position of a martyr by consigning him to prison, he adopted the course of suspending him for three years *ab officio et beneficio*—that is to say, from the exercise of his office and the receipt of its emoluments. Matters had now become serious for the incumbent of St. Albans. It might not have been worth contesting imprisonment terminable at any time by his own submission, but the suspension for so long a period from those labours, with regard to which his worst enemies give him credit for untiring energy and devotion, was a blow to be averted by all possible means. So Mr. Mackonochie reluctantly betook himself to the hitherto despised temporal courts, and by the mouth of Mr. Charles he besought the Queen's Bench Division to exercise on his behalf its jurisdiction of restraining by prohibition any court, not forming part of the High Court, which may appear to be overstepping the bounds of its legitimate province and authority, and to prevent Lord Penzance from proceeding further with or enforcing the sentence of three years' suspension. It was on the 8th of June that Mr. Charles applied for a rule nisi to the above effect, on the ground that Lord Penzance had assumed powers to which he had no claim in sentencing Mr. Mackonochie to suspension for contempt of his court. He did not dispute but that Lord Penzance in an original or fresh suit might have inflicted the same, or even a heavier, punishment; what he contended was that ecclesiastical courts do not possess the right which is resident in courts of record to punish summarily and without regular trial disobedience to their mandates or other contempts of their authority. Moreover, as he pointed out, the recognized punishment for contempt in those courts which have an unquestionable right to impose it is fine, or imprisonment, or both, and not the depriving the delinquent permanently or temporarily of property in the nature of freehold as had been done here. Reference was made to the clumsy procedure which up to the date of the Public Worship Regulation Act, 1874, formed, it was contested, the only method of coercing contumacious clerks.

Excommunication, major or minor, was originally the usual sentence of an ecclesiastical court; if the excommunicate persisted in his contumacy, the ecclesiastical authorities put themselves into communication with the civil, and—at first from the Court of Chancery, but after the statute of the fifth year of Elizabeth from the Queen's Bench—obtained a writ “*de excommunicato capiendo*,” under which the offender could be arrested and imprisoned. A statute of the latter part of the reign of George III. abolished, at least in civil suits, the then obsolete form of excommunication, and, reinstating the Court of Chancery in its former position of the refuge of the ecclesiastical courts in their difficulties, instituted a writ “*de contumace capiendo*” issuing from that court, under which a person persisting in disobeying the mandate of an ecclesiastical court might be imprisoned in the same manner as the contumacious excommunicate under the former system. The Church Discipline Act of 1840, under which the original proceedings against Mr. Mackonochie were instituted, introduced no change into this order of things, and gave no new power to the ecclesiastical courts, though the Public Worship Regulation Act of 1874 clearly provides for the enforcement of a monition by inhibition, which, unless relaxed on submission within three years, develops into practical deprivation. This last statute, however, not applying to Mr. Mackonochie's case, it was pointed out, as negating the existence of the power claimed by the Dean of Arches, that there would be no need of such cumbrous machinery as that above-mentioned if there were inherent in the court a power of dealing with offenders in a far more summary and direct manner. Mr. Charles had, however, to face the judgment of the Judicial Committee of the Privy Council in the case of *Hebbert v. Purchas*, in which, while holding that they had no power finally to deprive a clergyman for contempt, the Committee considered that they possessed authority to inflict the minor punishment of suspension or temporary deprivation, and, accordingly, suspended Mr. Purchas *ab officio et beneficio* for one year, a precedent which they subsequently followed in one of the numerous cases against Mr. Mackonochie himself. It was manifestly these judgments which influenced Lord Penzance in his decision, and Mr. Charles boldly attacked them on the ground that in neither instance had the case been argued on the side of the defendants, each of whom had declined to appear; that the reported cases on

which the judgments were founded did not support the conclusions arrived at; and, finally, that the decisions of the Judicial Committee were not necessarily binding upon the courts at Westminster. A rule nisi was granted, which was subsequently argued on the 27th and 28th of June last. The arguments of the counsel representing Lord Penzance and the promoter of the suit were mainly addressed to the following points—that the monition appended to Sir Robert Phillimore's sentence on Mr. Mackonochie was in the nature of a perpetual injunction—such as may now be granted by any of the Divisions of the High Court—breach of which may be dealt with by summary process; that the defendant had not in any way been prejudiced by the form of the proceedings taken against him, inasmuch as a fresh suit would unquestionably have resulted in his condemnation, on which similar punishment could have been inflicted; that the decision of the Judicial Committee, and the authorities on which it was founded, showed that suspension was a fitting penalty for contumacy or contempt; and, finally, that this was a mere matter of procedure, to which prohibition was not applicable. The arguments adduced in favour of Mr. Mackonochie were practically to the same effect as those on which the rule had been obtained; and the Court took time to consider their judgment, which they finally delivered last Thursday. Mr. Justice Lush was of opinion that the rule should be made absolute, on the ground that a distinct ecclesiastical offence had been committed in disregarding the monition of Sir Robert Phillimore and the subsequent monitions of Lord Penzance; that the defendant had suffered no injury or injustice from the summary nature of the proceedings against him, and that mere irregularities of procedure of one court afforded no reason for the interference of another. He declined to enter into the question as to whether the judgment of the Judicial Committee in *Hebbert v. Purchas* was well founded, inasmuch as he considered the judgment of that body binding on the Court of which he is a member.

Mr. Justice Mellor excused himself on the ground of press of work from delivering an independent judgment, and with a few remarks expressed himself as satisfied with, and concurring in, the judgment of the Lord Chief Justice of England, which was then delivered. His Lordship unhesitatingly pronounced his opinion that the case was one which called for the interference of his Court to prevent injustice being done, for reasons which he proceeded to enunciate. While admitting that Lord Penzance could not well, in the face of the decisions of the Judicial Committee above referred to, which were binding on him, have adopted any other course than that which he followed, the Lord Chief Justice emphatically denied that either the Court of Arches or the Judicial Committee possessed the power of interfering with a man's benefice on a proceeding for contempt. His Lordship adverted with some severity to what he termed the usurpation of authority by the Judicial Committee in the cases of Mr. Purchas and Mr. Mackonochie, and stated, moreover, that he considered the monitions issued in the first instance by Sir Robert Phillimore, and later on by Lord Penzance, to have been distinctly *ultra vires*; a monition being a substantive, although mild, form of punishment, and not a sort of injunction to be tacked on to another sentence merely as a foundation for subsequent summary proceedings. Were such monitions countenanced, the Lord Chief Justice said, they would subject a man who had already suffered punishment for all the offences proved against him to a sort of perpetual surveillance, and the liability to be punished without trial for what was substantially a fresh and irregularly proved, or, in the eye of the law, an unproved offence. The doctrine advanced in argument, and approved by Mr. Justice Lush, that no actual injustice had been done to the defendant, the Lord Chief Justice energetically scouted as altogether unworthy of a court of justice, adducing, with apt illustrations, the example of a murderer who, though taken red-handed, was entitled to all the forms of legal trial, and to an acquittal if an irremediable flaw was discovered in the indictment. Adverting to the recognized distinction between summary and plenary causes in the ecclesiastical courts, his Lordship showed that the present case clearly fell within the latter class; and, therefore, no formalities could be dispensed with. In conclusion, he pointed out that this was no mere irregularity of procedure, but a distinct excess of jurisdiction, and that as such the Queen's Bench Division was competent to restrain either the Court of Arches or the Judicial Committee from proceeding to carry out what they ought never to have begun. The rule was therefore, in conformity with the prevalence of opinion in the Court, made absolute; but the practice of the Queen's Bench does not award costs in such cases to the successful party.

It may be surmised that the matter will rest here, and an appeal to the Court of Appeal will in all probability be presented at the earliest opportunity. Few persons will be found to dispute the conclusions arrived at by the majority of the Judges in the Queen's Bench, that the infliction of a sentence which deprives a clergyman for three years of his office is not a fit subject for summary, and so to speak *ex parte*, hearing and decision. Under the form which the proceedings took, if Mr. Mackonochie had appeared, he could have raised no question as to the legality of the practices for which he was summoned, and his defence would have been restricted to the narrowest possible limits. Again, it is difficult to discern the grounds on which ecclesiastical courts should be permitted, first to arrogate to themselves a jurisdiction to punish for contempt, for which no precedent can be shown, and then to extend that jurisdiction to a length never dreamt of

by other courts to which that jurisdiction indisputably belongs. The Lord Chief Justice expressed a charitable belief that the proceedings of the Judicial Committee in *Hebbert v. Purchas* were misreported, inasmuch as one of the most eminent members of that body was made to admit that there was no authority whatever for the course they proposed to pursue, and certainly the cases cited in support of that course signally fail to bear it out. The startling point of Tuesday's proceedings is, however, the assertion of the right of the courts composing the High Court of Justice to control the action and review the decisions of the Judicial Committee of the Privy Council, and it remains to be seen how that august body will brook this curtailment of their dignity and privileges. Of course the Judicial Committee is a purely appellate court, and its proper province is merely to review legal decisions given in courts from which an appeal lies to it, leaving the ministerial functions to the subordinate tribunals; but, in the cases so sharply criticized in the Queen's Bench, it had assumed an original jurisdiction so far as suspending for contempt was concerned, and its right to do so is now at issue. As we have observed, the power of prohibition is not confined to the Queen's Bench Division, and the Judicial Committee might at some future date find its proceedings called in question and set aside by a far weaker court than that which decided in *Mr. Mackonochie's* case last Thursday. What may be the ultimate issue of this battle of the giants we do not presume to predict, but it is not likely to be arrived at without a severe struggle, and the exhibition of some acerbity in high judicial places. In the meantime *Mr. Mackonochie* and *Mr. Edwards of Prestbury*, against whom a similar sentence of suspension has been passed by Lord Penzance, but deferred until the decision in the prohibition suit brought by *Mr. Mackonochie* should be given, are, like *Mr. Tooth* and *Mr. Dale*, free to continue their ministrations, and if they keep clear of further proceedings, the writ "*de contumace capiendo*," and the Public Worship Act included, are to be left in peace. Until the Queen's Bench and the Judicial Committee have settled their differences, we see no cause for immediate anxiety on their part.

THE PARIS SALON.

THE Salon of this year appears to be generally estimated as far below the average. As we have never yet known a salon of which the same has not been said, we were scarcely prepared for the disappointment which in fact awaited us. The Salon is in truth much below the average, perhaps on account of the rival attractions of the great Exhibition, perhaps because French art is on the decline. Of the two explanations we are inclined to choose the latter, for of late years French painting has shown more and more the signs of a falling school. Its characteristics are plenty of technical dexterity (every French painter seems to do what he wants with his colours, but he seldom wants to paint well with them), a certain vigour of draughtsmanship, a dull and heavy colouring, and a furious desire to attract attention either by the size of the pictures or by the choice of horrible and revolting subjects.

Almost the only healthy sign that modern French painting exhibits is a certain love of peasant life—a love which scorns to soften down the roughness of the original in the hope of investing it with a pastoral or idyllic charm, but endeavours to show us the real poetry which underlies the rude and little beautiful exterior of this life of toil and hardship. Therefore we have no hesitation in pronouncing the fine work of *M. Bastien-Lepage* (119) as the picture best worth seeing in the Salon. It is called "*Les Foins*," and illustrates the following passage from *André Theuriot*:—

Midi! . . . Les prés fauchés sont baignés de lumière.
Sur un tas d'herbe fraîche ayant fait sa litière,
Le faucheur étendu dort en serrant les poings.
Assise auprès de lui, la faucheuse hâlée
Rêve, les yeux ouverts, alanguie et grisée
Par l'amoureuse odeur qui s'exhale des foins.

As it would be impossible to describe the picture better than these verses have already done, we will merely draw attention to the wonderful manner in which the painter has rendered interesting the coarse heavy type of the peasant woman by showing the working of a poetry inarticulate, but not the less real, on features dulled by labour and monotony. The technical merits of the painting are very great; the breathless heat of the summer day is rendered with a truth that is almost oppressive; whilst the execution has all the firmness and vigour of modern French work, combined with a delicacy that most of *M. Lepage's* contemporaries appear to despise. We congratulate the accomplished portrait-painter on having continued worthily the mission of *Millet*, the peasant artist who first taught the world to understand and sympathize with the life he knew and loved well. Of large historical works there is of course no lack. Unfortunately, *M. Laurens*, whose fine picture of the death of General Marceau obtained the *medaille d'honneur* last year, and whose vigour of painting and grasp of the realities of his subject make one forgive his excessive fondness for corpses, is this year unrepresented. *M. Maignan*, who paints somewhat in his style, has two rather uninteresting works, one (1483) representing *Louis IX.* consoling a leper, apparently, as *Cham* in his caricatures remarks, by digging his nails into his back:—"Ce qui était, paraît-il, une grande consolation à cette époque." *M. Maignan* here has nobly withstood the tempta-

tion that such a subject must offer to a French painter, and has not treated it in a loathsome manner. The other (1484) shows the Venetian Admiral *Carlo Zeno*, who consoles himself in his blindness, and apparently his dotage, by embracing the trophy of his ancient victories hung up in the Cathedral of Saint Marc. This is a singularly harmless picture. *M. Edelfell* has a rather well-painted picture of the ghastly order (857), representing *Charles IX.* of Sweden insulting the corpse of his enemy *Fleming*. Here, also, we are grateful, as the subject might have been treated with less moderation. Amongst the historical works may be mentioned *Détaille's* "*Bonaparte en Égypte*" (747). The scene represents the end of a fight with the Mamelukes; the enemy have been vanquished, and the standards and prisoners are presented to *Napoleon* and his staff on the field of battle. This elaborate and carefully painted work includes portraits of *Kléber*, *Dumas*, *Bessières*, *Desaix*, *Cafarelli*, *Monge*, *Desgenettes*, *Denon*, *Berthollet*, &c., besides that of *Napoleon* himself, and is altogether a fine representation of a striking scene. *M. Garnier* has chosen an episode out of very modern history in his picture of "*Le Libérateur du Territoire*" (978). He has represented the Chamber in a state of tumult (not a very uncommon circumstance). The Minister of the Interior had incautiously let fall the words "liberator of the territory." Immediately *M. Gambetta* pointed to *M. Thiers*, saying, "There is the liberator of the territory!" whereupon the whole of the Left and Centre rose like one man and saluted *M. Thiers* with that indescribable hubbub which the *Journal Officiel* translates into "vives acclamations" and "chaleureux applaudissements." This was the closing scene of *M. Thiers's* career—he died very shortly afterwards—and as such it is very worthy of representation, although eminently unpictorial. *M. Garnier* has done wonders with his unpromising subject, and has really succeeded in making an interesting memorial, though it scarcely can be called a picture. Compared to this *M. Vibert's* gigantic "*Apotheosis of M. Thiers*" (2227) is very flat, stale, and unprofitable. It is painted with all the cleverness that we have often admired in the charming *tableaux de genre* by which *M. Vibert* has made his fame—drums, cannon, wreaths of immortelles, armies fighting in the sky, a lady in black clothes representing France, and a lady without any clothes representing Fame—all this is there; but somehow it does not move us. Perhaps the age of apotheoses has passed.

The lady representing Fame leads us, by a natural transition, to speak of the increasing nude studies which fill the walls of the Salon. We have nothing to say against the representation of the nude in the abstract. The human form is a beautiful thing, and as such most worthy to be represented in painting; indeed we know nothing so likely to correct any debasing association that modern delicacy may have thrown around the idea of nudity as a fine painting of a naked figure. But the painting *must* be fine; and as there is nothing in the domain of art more difficult than to accomplish this, so we can easily understand how few of the innumerable pictures of this kind that are produced every year in France are likely to have an elevating tendency, even supposing that the aim of the painter is always noble, which would be a very violent supposition indeed. And be it understood that the kind of elevation we require is not that ideal treatment of the figure which consists in dubbing your picture "*Venus*" or "*Aurora*," and making it quite unlike any woman that ever lived, but rather in drawing attention to the beauty and nobility that exist in a healthy and well-formed human being. For an example of what may be done in this way we need go no further than *Mr. Alma-Tadema's* "*Sculptor's Model*" in this year's exhibition of the Royal Academy; and we regret to say that none of the nude studies in the Salon can approach the honesty and purity of this work, to say nothing of its overwhelming superiority in technical matters.

In portraits the French do not show to great advantage. The women are all dressed up to the eyes, and are all smiling that exquisite smile which to the Parisian apparently is the extreme of fascination, but to an Englishman is simply offensive. And the men are not much better; none of them appear natural, least of all those who affect an air of extreme *sans-gêne*. They are all posing, all saying—Look at me; how tidy my clothes are; or, how untidy, as the case may be! How beautifully brushed is my hair; or, how beautifully unbrushed!—They are always in extremes, and always conspicuous. One longs for a little of the Englishman's desire to escape detection. Two of the best portraits here are of an actor and actress; people in whom a bashful and retiring demeanour would be somewhat out of place. 1018 is a portrait of *M. Daubray*, the eminent low comedian, by *M. Gill*, the caricaturist, who has at last found some one whom he cannot caricature, and so has produced a capital likeness; while *M. Muraton* has in 1062 given us a spirited likeness of *Mlle. Jeanne Granier* in *Le Petit Duc*. *M. Fantin-Latour*, who is chiefly known to the English public by his unrivalled flower-painting, has a family group (878) which has a vigorous air of nature very refreshing amongst the fashionable portraits that surround it. The shadows are, however, unwarrantably black, and the execution has a certain rottenness of surface that is decidedly unpleasant. Certainly one of the best portraits in the Salon is by an English, or rather a Scotch, artist. *Mr. Archer* has, in his portrait of *Lady Holker* (50), given us a fine, unaffected piece of work, marked by all the Scotch richness of colour and vigour of execution. We believe this fine work was rejected last year at the Royal Academy. We are glad to see that the French have given it a good place in the best room of the Salon.

The landscapes this year are decidedly uninteresting. The French began by teaching the world a good lesson—namely, that there is a kind of beauty in even the commonest scenes, and that even the duller of skies have a charm of their own; but this lesson has assuredly been sufficiently enforced by this time, or, if not, perhaps the fault lies in these very painters, who, when once they have got their general effect of dismal sky and dreary land, are content to leave untouched all the delicate beauties of foreground herbage, the exquisite patterns of moss and lichen, the varied texture of the rocks on which they grow, the wonderful drawing of cloud forms, the intricate tracery of leaves against the sky. All these and many other beauties are ignored by these artistic bricklayers, whose sole idea of execution is the palette knife, and who appear to confound thickness of paint with vigour of painting. At the same time, these coarse and heavy productions have a certain charm for the eye that has become satiated with popular English landscapes, for, at least, they are true as far as they go. They do not give the delicacy of Nature's forms; but then they do not pretend to do so; they have no mechanical trick of dexterous execution that does duty for the infinite variety of Nature; their producers do not paint sunlight, because they feel that they cannot, and it is surely better to paint a dull day accurately than a sunny one inaccurately. They strive for simple truths of tone and effect, and these they get fairly accurately; but why not give us a little more? The most satisfactory landscape this year is perhaps Mme. la Villette's "Falaises d'Yport" (1344), a very truthful and honest piece of work. It is true that the subject is not profoundly interesting, and of course there is hardly any colour in the picture; but there is daylight and a certain freshness as of Nature, together with really sound painting of stones and rocks and sea, and all these things combined make an excellent landscape. There are two sea-pieces by M. Lepic, "Le départ, marée haute" (1415) and "Le retour, marée basse" (1416), which are fresh and vigorous; while M. Armand-Delille's view, "Dans la vallée du Brigandoux" (54), has the merit of being bright and sunny.

Of genre and miscellaneous pictures the most interesting is decidedly M. Dagnan-Bouveret's "Manon Lescaut" (622). This is a very touching illustration of a touching story. The moment chosen is when Manon's lover digs a grave for her in the desert. "Je formai la résolution de l'enterrer et d'attendre la mort sur sa fosse." Having broken his sword, he is tearing up the soil with his hands whilst the corpse of his beautiful mistress lies placidly beside him. There is nothing forced in this; no straining after effect; and the painting is exquisite. M. Lefebvre's "Mignon" (1373) is a very beautiful single figure, as also is M. Jacquet's "Jeanne d'Arc" (1202). M. Chelmonski has two spirited pictures of travelling in Ukraine (484 and 485), a country where black horses seem to be always wildly careering over limitless tracts of snow; whilst Mr. Bridgman, an American painter, has a remarkable illustration of the manners and customs of Assyrian kings (334)—"Divertissement d'un roi assyrien." Apparently the diversion consisted in letting lions out of a trap, whilst the Assyrian king stood in front of them and shot them with a bow and arrows. Pigeon-shooting may be considered as a modern improvement on this ancient sport.

These strike us as the most typical pictures in the collection, and as such we have dwelt on them at some length. Of course there are many other interesting paintings which we have no space to mention, to say nothing of the sculpture, drawings, engravings, &c., which swell the total number of works of art to the magnificent sum of 4,985. So, softly murmuring "Ars longa, vita brevis," we will leave the Salon until another year.

ST. ALBANS ABBEY.

PEOPLE who share in the attention which has been drawn of late to St. Albans Abbey will be specially interested in a volume which has been composed by Mr. James Neale, a pupil of Mr. Street (*The Abbey Church of St. Albans*. Illustrated by James Neale. Printed for Subscribers). In its size and wealth of illustrations Mr. Neale's work recalls the tall, thin imperial folios, with plates by Basire, from drawings by old John Carter, published by the Society of Antiquaries at the close of the last and the beginning of the present century, in which some of us as boys took our first lessons in Cathedral architecture and arrangement. One of the last of that magnificent series, appearing in 1813, was devoted to the Abbey, now Cathedral, of St. Albans. A comparison of the two volumes is instructive, as indicating the wonderful growth in architectural science, as well as in the actual processes of illustration, in the last sixty-five years. While page after page of Mr. Neale's work is given to the contours of arch-moulds, the sections of bases and capitals, and the profiles of string-courses, we doubt whether in the whole of Carter's volume one such occurs. In fact, the value of mouldings, not only as an unfailing index to style and date, but as essential elements of architectural composition, had yet to be learned in his days. Far ahead of his contemporaries as the caustic old man was in architectural knowledge and appreciation of ancient art, his attention was more turned to the general features of a building than to those minute details which are now almost too exclusively studied, sometimes to the neglect of the principles of proportion and design. Nor is the contrast less

noticeable between the manner in which the drawings of the respective artists are set before the eye. The architectural draughtsman of that day had to trust to the faithfulness of an engraver who sometimes misunderstood his meaning and misrepresented his drawing. The photolithographic process has enabled Mr. Neale to lay before the architectural student an exact reproduction of his drawings line for line, without the possibility of a mistake, or of that "additional drawing or touching up by the lithographer" of which he speaks, which is even more fatal to accuracy than honest blundering. So faithful was he that each moulding was taken, each bit of carving delineated, "real size from the stones, every drawing worked to a scale on the spot, and reduced by photography." We doubt if any of our cathedrals has ever before been subjected to so close and intelligent an examination and illustration.

In a modestly written preface Mr. Neale tells us how, "starting, though timidly, to measure a bay of the thirteenth-century work on the north of the nave, with the hope of passing the examination as a student of the Royal Academy," his success and the kind encouragement of Mr. Street led him to pursue his labours, until, "after many months of toil, often from 6 A.M. until midnight," he completed the greater part of the building, "and thereby gained in 1875 the Pugin Travelling Studentship and the silver medal of the Royal Institute of British Architects." Although the chief value of Mr. Neale's work lies in his illustrations, the letterpress, as we have seen, contains, in a plain, unadorned style, much important information. The whole architectural history of the building is clearly set before us in a "comparative chronological chart" giving in parallel columns the dates of the sovereigns of England, the succession of abbots, and the various parts of the edifice assigned to each, as well as in the introductory chapter. We are rather surprised to find the five Decorated bays on the south side of the nave assigned to Abbot Hugh of Eversdon, when Walsingham so clearly states that, though the fall of the Norman bays they replace occurred in the Abbot's time—A.D. 1323—the loss of their Northumbrian rents through the inroads of the Scots had so crippled the convent that they were unable to set about the rebuilding for some years. Hugh's successor, Richard of Wallingford, commenced the work, but the ruin was not fully repaired till the abbacy of Michael of Mentmore—A.D. 1345. But, though the actual building was deferred for twenty years, architectural evidence points to these bays being designed by the same hand as the Lady Chapel, which certainly belongs to Eversdon's times, though at a somewhat later period.

Mr. Neale discovers a change in the character of the mouldings above the level of the clerestory floor, indicating a change of style; but if Walsingham's statement is to be construed literally, he can hardly be right in believing that at Eversdon's death in 1326 "the rebuilding had reached as high as the floor of the clerestory passage"; but we must be careful lest it leads us to suppose that the abbots furnished the designs as well as the funds. In pursuing the history of the fabric, Mr. Neale speaks with deserved severity of the injury sustained by the fabric in the fifteenth century by the removal of the high-pitched roofs and the conversion externally of the Norman triforium arcade into ill-designed windows, as well as by the insertion of the huge tasteless perpendicular stone gratings in the end walls of the two transepts, and at the west end of the nave. The object of these latter changes was to obtain more space for the display of painted glass, with which they will, we trust, again be furnished. Happily neither of the injuries is irreparable, and in spite of the fussy complaints of the agitators of the Society for the preservation so-called of ancient monuments, and the more dignified opposition of the "Antiquaries," who ought to know better, we trust that the Restoration Committee will stand firm to its intention of replacing the high-pitched nave roof. The practical reason for moving is that the roof of the nave is in so bad a condition that some work of extensive repair is essential, so, being sensible men, they have determined to reconstruct it according to the old slope, clearly marked on the walls of the central tower. The fuglemen of anti-restoration stigmatize this as "a monstrous project," and summon all true archaeologists to oppose the restoration of a feature so essential to the outline of this gigantic fabric. It is to be hoped that the reconstruction of the slender spire which not so long since capped the central tower may speedily follow.

The practical usefulness of Mr. Neale's sixty plates—including, as they do, plan, general views, sections, details, fittings—is much increased by the copious letterpress notes which describe and explain every separate detail, but for which the profusion of illustrations might prove confusing. Instead of the usual letters of reference to a table in the margin, among which we so often have lost our way, and our time and temper too, every separate drawing, however small, has its own legend, while the relation of each to the whole is rendered clear by charming little "key plans" and "key elevations," bringing the entire design under the eye at once, instead of having to turn backwards and forwards to find the proper place. Restoration, however careful, must wipe out some traces of original work; and have been so here. Mr. Neale's conscientious fidelity is shown by the notes indicating where this has occurred since his drawing was taken. The notice of the ingenious system of jointing of detached shafts by means of lead dowels, by which the fracture of the neck moulding, frequent at Westminster Abbey, is prevented, is proof of the closeness of his examination. Equal accuracy and copiousness of illustration

will, we trust, distinguish Mr. Neale's forthcoming work on the curiously painted chapels in the crypt of Canterbury Cathedral.

Mr. Neale's accurate measurements settle the controversy as to the relative lengths of St. Albans and Winchester Cathedral in favour of the latter. The extreme external length of St. Albans "from the plinth of the buttress of the east wall of the Lady Chapel to the face of the buttress of the west porch" is 550 feet 14 inches; while that of Winchester, measured between corresponding points, is 557 feet 9 inches, exceeding its Hertfordshire rival by 7 feet 7 1/2 inches. This superiority, however, is entirely due to the eastern limb, the nave of St. Albans exceeding that of Winchester in length by nearly nine feet—284 feet 5 1/2 inches, as against 275 feet 7 inches—while the effect of its length is much greater. "The repetition of the strong unbroken lines of precisely similar length at different levels in the nave and aisles at St. Albans, drives home to the imagination in a way quite unique the impression of length. The nave of St. Albans is not only the longest in the kingdom, but the longest in the world." It was, however, surpassed by that of Old St. Paul's, which, according to Mr. E. B. Ferrey's drawings, must have been more than three hundred feet long, the entire length of the Cathedral being about five hundred and ninety-six feet, while it must not be forgotten that St. Petronius, at Bologna, is only the nave of the intended building, and would have incontestably been the longest Gothic church ever built. We of course exclude St. Peter's from the consideration. In the case of Old St. Paul's the effect of length must have been far greater, the main elevation of the building being maintained from end to end, as at York, Lincoln, and Worcester, without any computation of long low chapels to the east as at Winchester and St. Albans, or of a galilee to the west as at Ely and Durham. The gigantic conceptions of Abbot Paul, to whom we owe the vast and stern fabric which, in Mr. Freeman's words, "for size at least if not for beauty has remained the wonder of all succeeding ages," are well brought out by Mr. Neale by a comparison with the slightly earlier churches of his relative—some said his father—Lanfranc at Caen and at Canterbury. The tables given, to which we must refer our readers, will show how vastly the scale adopted by Paul exceeded not only those ministers—the dimensions of which, however, are to some extent conjectured—but all contemporary buildings of which we have any knowledge, St. Paul's being the only exception.

Few portions of Mr. Neale's letterpress will possess more interest than that in which he discusses the probable design of the Early English west front, as begun by the ambitious and tasteful, but impecunious and miscalculating, Abbot William de Cella, and completed by his more businesslike namesake of Trumpington, nearly the whole of the upper part of which above the triple porches—so surpassingly beautiful in their degradation and ruin—was ruthlessly demolished by Abbot Whetehemstede to erect his huge west window.

We wish Mr. Neale could have given a drawing of his conjectural restoration of this once glorious and now singularly hideous western façade, of which he gives a minute description. Certainly, where so much must be conjectural it would be unwise, even with unlimited funds, to attempt the reproduction of the original design. We may be well content with the conservative restoration of the exquisite western porches, with their high-pitched pediments—a work on which Sir Gilbert Scott's heart was earnestly set, and for which, we believe, he has left careful drawings—the removal of the ugly fifteenth-century arch, which seems to imprison with its ungraceful curve the delicate Early English archwork and foliage within, and the re-erection of the lofty western gable. This last work will be rendered necessary by the projected raising of the nave roof. The style to be adopted will require careful consideration, and will certainly be pronounced the wrong one by some. We should recommend a studied plainness, effect being sought more by proportion than by ornamentation. The composition ought, if the effect be attainable, to show that it is modern and due to physical necessities, while at the same time it harmonizes with the old work. We know that we are treading on delicate ground in denouncing the unreasoning fanaticism which would forbid these lovely portals being saved from further ruin and reinstated in something approaching to their former beauty, and the west front rendered less unworthy of so vast and stately a structure. Even if restoration be an evil, here at least it is a necessary evil, and essential for the simple preservation of the fabric from a general collapse. But for the vast engineering works projected by Sir Gilbert Scott and carried out efficiently by Mr. Chapple, the tower must have fallen and other parts of the edifice sunk in ruin. When masonry has fallen into so fearful a state of decay as we see in the clerestory of the nave, where the window-joints present a shapeless mass of rotten stonework without a single architectural feature visible, full of gaping cracks, letting damp into the walls and hastening dilapidation, it is difficult to urge without hypocrisy as a labour of love that the minister should be left as it is to sink with rapidly quickening speed into so complete a state of ruin as to imperil the very existence of the whole fabric. Then if any measures of restoration are taken surely they should be complete. The decayed stone where necessary must be removed and new substituted, the mouldings must be reworked (not pared down), the shafts renewed; and if we get a new window for an old one, while we feel a pardonable regret for the superior picturesqueness of that which it replaces, we may be well content in seeing the design of the original builders reproduced in all essential particulars and the fabric saved from overthrow. If what has been termed "the gospel of decay and death" is to have

sway at St. Albans, its advocates must be prepared to see the portions still unrestored—that is, more than half the fabric—speedily collapsing into complete ruin. With such a prospect before it the cathedral may well say "Save me from my friends."

LIFE AT AN AMERICAN UNIVERSITY.

IT is not very difficult to account for the failure which attends most efforts to describe the life of undergraduates. We all know what the authors who choose this topic do. They describe many scenes in which beer and skittles, or their equivalents, supply the interest. They throw in a Town and Gown row, a combat with a prizefighter, an adventure with proctors, a steeplechase, a boat-race, and a crowning triumph in the Senate House or the schools. Let all this be subtly pervaded by a love affair or two, and you have the usual novel of University life. It is needless to say that most men find Oxford and Cambridge a round of lectures, athletic sports, breakfast parties, and discussions about the Absolute, in which proctors and prizefighters, and young ladies (seriously viewed) take little or no part. It would not be amusing, however, to describe a round of lectures, which are indeed the duller affairs in the world. When once you have said that a learned tutor, in a half-audible voice, directs your attention to *Republic* 324 A, and makes a series of disjointed remarks, at the end of which you find he means 323 B, you have said all. For lectures it may be advanced that they give a man an appetite for luncheon; but it is clear that they are the reverse of adventurous, and that they leave no enduring impression on the human mind. Breakfast parties are just as monotonous. The conversation has the eternal sameness of the gigantic soles, the beefsteaks, the buttered eggs, the marmalade, and the beer. Dialogues about the Absolute, too, and about the immortality of the soul would not exhilarate the readers of University novels, unless indeed the composition of a Sunday novel—something for *Good Words*—be aimed at. Then you can take your characters at pleasure to University sermons, where they may hear Dean Stanley, or Canon Liddon, or the Dean of Chichester, preach a sermon which either removes their doubts or teaches them that doubt is a high and holy estate, and that St. Thomas was the prince of Apostles. As to the athletics, they are done better in *Bell's Life* than in any fictions not composed by a lady writer. In *Bell* you get accuracy, though little fancy; in a novel of the Universities by Ouida, or any other lady, you are not unlikely to be tickled by the record of tremendous feats. Even Mr. Brookes could not clear a turf-cart, like the hero of *Under Two Flags*, or run a mile in two minutes fifteen seconds, or hurl the hammer over Christ Church pavilion into the Cherwell.

Novels of the Universities are spiced then by ignorance, by fancy, by forgetfulness. You are to believe that all is cricket, boat-racing, champagne cup, and driving four-in-hand, with a happy consummation in a double first, and a virtuous attachment to a lovely heiress. Remembering these conditions of this sort of writing, one is not tempted to take the description of an American College (Harvard), for a more minutely truthful account than that of Verdant Green, or of Peter Priggins, or of Tom Brown. Harvard must be a terrible place if it is correctly described by Mr. Severance in *His Harvard Days* (Trübner and Co.). It seems that many of the doubtful practices mentioned in *His Harvard Days* have ceased to exist. Civilization, however, has not triumphed over the incredibly odious practice of "hazing." In Harvard, as Mr. Severance remembers it, men wore "marvellous combinations of colours," "ferocious cravats and collars," "checks, plaids, diagonals," and so forth, just like the people in the illustrations of *Verdant Green*. They kept a pugilist, called The Chicken, who in all things modelled himself on "The Putney Pet," and on that other Chicken who patronized Mr. Toots. The most horrible custom next to "hazing" was football after the manner of Harvard. Rugby football is not exactly a nice drawing-room game. You may do many things to the man who catches up and runs with the ball, though scratching and biting are alien to the spirit of the pastime. You may not hit him with the closed fist, however; still less may you beat on the nose and eyes a player who is on side, and not "on the ball." Now Harvard football resembles, or resembled, the Rugby game, with free-fights thrown in. One Pinckney, for example, is running with the ball, "and catches a stinging blow under the left ear." Others box in all parts of the ground, regardless of the progress of the game. As for Tom Hammersmith, the hero of *His Harvard Days*, "he received a shivering blow under the chin, staggered a moment, but came up with a good defence and clinched teeth . . . young ladies looking on held their breath to see the way that Tom came up under the blows, which were coming faster and more effectively as he began to lose his head more and more." It is the first time that we heard of "shivering blows" as sport for ladies, who seem to have crowded round the pugilists with unaffected interest. Scarcely less odd is the fact that this amazing "game" was played by men who wore long coats, from which the tails were torn in the combat. We have not, and never had, anything like this in the Old Country, though after a football match men in plenty may be seen limping home with blood on their flannels. It must needs be that "hacks" come; but the addition of promiscuous boxing and of lady spectators is too much.

"Hazing" is the amusement of "bloody Monday," and a very

blackguardly and cowardly amusement it is. The senior men go about in large bands, "drawing" freshmen and bullying them in a way which would disgust even the members of a fast mess. Men had been ducked under the town-pump; men had been led blindfolded into the river until they were over their heads. One young freshman had been sewed up in a bag and hung out of his window all night; another had been confined all night in the marshes, where he caught a cold, with which he left Cambridge never to return. One young freshman was "made to read aloud with appropriate gestures a letter from his mother, which had been found open in a writing desk," and it was proposed to make him say his prayers; also, we presume, "with appropriate gestures." Here, however, the hero of the romance interferred to protect the freshman. Mr. Severance says "that they order these things better under the new régime"; but, only a few months ago, there was a good deal of pistol-shooting between freshmen and sophomores in an American University. Happily the most imaginative of our chroniclers can tell no stories like these. Freshmen are rather treated with a hospitable, but distant, politeness. They receive more invitations than they can accept; but do not instantly become very intimate with their hosts. Men wait to see their characters develop, instead of ducking them in Cam or Isis. In large and rowdy Colleges—where the Dons and their wives bow down and worship "tufts"—there are examples of cowardly assaults on unpopular men. No one is proud of these events; and, at worst, they were never organized into a system as they seem to be at Harvard and at other American colleges.

Boat-racing between Harvard and Yale is very much like the race between the Universities here, except that the crews pull round a stake, distant a mile and a half from the starting-point. By means of this device people on the shore can see most of the race, which is an advantage. After the race the crews make speeches in public. From the reports of one of these orations we learn, what an English oarsman would not have thought it necessary to mention, that "It's a good thing to have a fair and square race—no fouls, no tampering with boats; we've had such a race this year, I think I can say; and I want all you fellows that are coming up to take our places to remember what I say, and see to it that you have just such downright, straightforward, out-and-out honest races as we've had to-day." Fancy a state of things in which this caution is necessary. The English oarsmen who crossed the Atlantic two years ago learned what an organized system of "fouls" was; and the Harvard crew, whom Mr. Darbishire's four defeated on the Thames, went in fear of being "got at," like horses in sporting novels. While "smartness" of this sort is practised or even dreamed of as possible among gentlemen and University men, "international" boat-races are practically impossible. According to the reports of the late Henley Regatta, the "Shoes," when hopelessly beaten, seem to have thought that a "foul" was at least worth trying for. This dishonesty can never be quite eradicated from sport while professionals, and men who row for money dependent on success, are allowed to compete among amateurs, and to give their tone to the pastime. Mr. Severance, it must be remembered, writes of the Harvard of many years ago, and we trust that "tampering with boats" and intentional "fouls" are no longer things against which boating-men need be warned. Perhaps they have also conquered their Republican interest in princes, and no longer keep a *transmittendum*, or heirloom which goes with a certain set of rooms, a photograph presented by the Prince of Wales to the undergraduate who once occupied them. "Tell her about the Prince of Wales's picture, George," said Mrs. Darby. "The Prince of Wales! Oh! what do you mean?" exclaimed Miss Mabel excitedly, after the manner of young girls at the mention of royalty. They like, they cultivate, they even adore royalty at Oxford, but they do not bow down and worship the princely photograph.

THE THEATRES.

THERE is a certain kind of melodrama the advent of which on the London stage is one of the surest signs that the season is really over. It generally arrives in town at about the same time as does the country cousin, and there is ground for the belief that their meeting in the capital is not merely fortuitous. For it would seem that the country visitor, separated from the purer surroundings of a pastoral life, requires to be specially fortified against the dazzling allurements of the city. If he consents to go to the play at all, it is only on the implied understanding that the author's wit shall be heavily loaded with virtue, and that the player shall, for the time at least, assume some of the sanctified airs of the street preacher. It is a matter of comparative indifference to him whether the characters presented bear even a remote resemblance to nature, so long as they are clearly divided into two opposite camps of good and evil. Those problems of individual character which in the real world seriously complicate the simple aphorisms of the copybook are here rigorously excluded, and a few well-worn types are found quite sufficient for the display of the exuberant morality in which author and audience alike rejoice. There is first the hero or heroine, good, long-suffering, and forgiving; then the "awful example," who is at first bad, afterwards regenerate, and finally forgiven; and last the irreclaimable villain upon whom the most ample resources of virtue and sentiment are bestowed without effect. All of these

familiar figures make their appearance in the drama which has lately been produced at the Olympic Theatre. The *Woman of the People* is a translation from *Marie-Jeanne ou La Femme du Peuple*, and was originally presented at the Porte St. Martin, but it scarcely differs from plays of the same class of purely English origin save in a greater ingenuity exhibited in the contrivance of the plot and a more prolix vindication of accepted principles of right and wrong. The failings of the French dramatists are popularly supposed to lean but little to "virtue's side." As a matter of fact, however, the melodramas of the Porte St. Martin and the Ambigu often err by an excessive development of sentiments laudable in themselves; and the French public, it may be added, are surprisingly tolerant of these didactic exercises. The Frenchman, strange as it may seem, has something of the canny Scot's morbid delight in a sermon, especially when the preacher disguises himself as a comedian and delivers his harangue from the stage. An English audience, despite its want of critical perception, is apt to be more impatient of these long-drawn essays, and it is likely that the *Woman of the People* would be more successful, in London at least, if the dialogue were judiciously pruned. But Mlle. Beatrice brings with her a kind of testimonial which is, we fear, likely to outweigh the cold counsels of criticism. According to public announcement, the *Woman of the People* has effected a real conversion. It has reclaimed from his evil ways a working-man of Manchester, and in the face of such a triumph it would be as impertinent to suggest any artistic consideration as to exhort a successful temperance lecturer to chasten the style of his oratory. We will therefore only express a hope that Mlle. Beatrice's achievement may not cause any jealousy among the professors of a sister art. As far as we know, Mr. Frith has no such results to show from the exhibition of "The Road to Ruin"; but then his work appeals to sinners of superior social position, who may possibly be more reluctant to confide to him the fact of their regeneration.

There is of course nothing to object to in this crusade against vice, whether undertaken by painter or dramatist. Indeed in these days, when we are threatened with a strike among the constables, it may be even fortunate that private individuals should be willing to undertake the lighter duties of police, and that they should be ready to adapt their work to the special requirements of the criminal classes. And, while they are filled with the pride of the missionary spirit, it would of course be idle to insist too strongly upon any merely artistic criticism. We do not judge a reformatory by reference to the merits or defects of its architectural style; nor have we any right to require of a moral melodrama a very high standard of literary excellence. The *Woman of the People* is in this respect certainly not inferior to the majority of plays of its class. In respect of plot, as we have already hinted, it commands a certain amount of respect. The incidents, although by no means romantic, are skilfully interwoven; and, although probability is constantly outraged, it is with the laudable purpose of securing effective situation. In following the fortunes of a working-man and his wife, the audience is introduced to a foundling hospital and a madhouse, both of which establishments are pressed into the service of the villain's sinister schemes. These schemes, however, receive their most powerful support from the extreme frailty of the working-man to whom Marie, the simple heroine, most unwisely confides her happiness. No sooner has the marriage ceremony been performed than the unfortunate woman finds reason to deplore her fate, and it would possibly be a grim satisfaction to Sir Wilfrid Lawson to know that the ruin of this ill-assorted couple is entirely due to indulgence in strong drink. A more worthless scoundrel than this dissipated carpenter it would be hard to conceive; but it is the aim of the play that he should ultimately reform and be forgiven, and he is therefore treated throughout with an amount of indulgence which he certainly does not deserve. Not only is he supported by his wife, but he steals her hard-earned savings and forces her at last to deposit her starving child at the doors of the Foundling Hospital. Now it so happens that just at this moment the irreclaimable villain wants a child for his nefarious purposes, and at the very hour when Marie brings her baby to the hospital he is loitering about the doors of the establishment in the expectation, we may suppose, that he will be able to purchase what he wants at a moderate price. By the exercise of a little tact, however, he succeeds in getting Marie's son as a gift, and from that moment the plot begins to thicken. The villain's particular object is soon made clear to us. He is in love with a high-born lady who has already been married to a man for whom she did not care, and she now, out of gratitude to the child-stealer, rejects the advances of a cousin for whom she has had a lifelong affection. But the poor creature must not be held strictly accountable for her actions, for she has had a great deal of trouble. Her first husband is only recently dead, and her newly-born infant has been taken away from her at its birth. She is therefore easily persuaded that the little foundling is her own offspring, and she offers her hand to the villain in the innocent belief that he has restored her infant son to health and strength. All seems to be going as merrily as a marriage bell, and the marriage bell itself is near to sounding when Marie, reduced to destitution, seeks a situation in the high-born lady's house. She of course at once recognizes the infant, but the villain is equal to the emergency and promptly denounces her as a lunatic. There is such a general confidence in his medical skill that the unfortunate woman is consigned to an asylum. The villain for the moment seems to be triumphant; but, as we presently learn, he has failed to calculate upon

an event which it must be confessed was in itself by no means probable. The worthless husband, contrary to all reasonable expectation, has been undergoing a process of reform; he is now received by the forgiving wife as a veritable hero; while, as some return for her kindness, he arrives just in time to prevent the villain from adding the crime of murder to his other sinful accomplishments. It is scarcely necessary to add that the infant, who has led a somewhat chequered existence, is now restored to its rightful parents, and that the vacillating widow at last rewards the long-tried affection of her cousin.

Mlle. Beatrice has gathered about her a company of actors who do sufficient justice to the commonplace sentiment of the drama. It will be readily understood that no great skill is required on the part of the performers, for the authors have not attempted so much to create individual types of character as to produce a strong moral impression; but it is necessary even for this result that the parts should be filled with becoming earnestness. As the ill-treated wife, the manageress herself displays an artistic power which must be held worthy of better employment. She suffers under a certain disadvantage from her foreign accent, which deprives some passages in her performance of their due effect. The cadence of her voice is monotonous, and in moments of excitement her elocution fails to interpret the most ordinary touches of pathos that would come easily within the scope of many English actresses less highly gifted. But she has the merits, especially rare among actors of melodrama, of simplicity and restraint. She does not forget that she is the representative of a character of humble life, and she consequently avoids the failure which comes of a sentimental exaggeration of the sorrows of her part. Her performance thus tends to correct the didactic style in which the play is written, and to give some show of probability to the artificial dialogue.

In the case of several of the London theatres the closing season brings no change of programme. At the Lyceum Mr. Irving has given way to Miss Bateman, who reappears in *Mary Warner*, but at the Court and the Prince of Wales's *Diplomacy* and *Olivia* respectively preserve the places which they have occupied for several months. In these days the players change oftener than the plays; while the leading actors retire to the provinces, substitutes are found to continue their labours in London. Perhaps even this limited amount of variety is better than none at all. The system at any rate gives a chance to young actors who would otherwise find a difficulty in getting a good opportunity of testing their powers.

GOODWOOD RACES.

A WEIGHT for age race, with penalties and allowances, partakes much of the nature of a handicap. We might even go further and maintain that a handicap is, or should be, a weight for age race with penalties and allowances, although other considerations must sometimes modify this general principle. The Goodwood Meeting opened with a race of the first-named kind. Events of this description are often extolled to the disparagement of handicaps; but in this instance the evils of the latter kind of race were almost exaggerated in the weight for age affair. Thus we found poor Hesper fairly crushed down with weight, as he was made to give 2 st. to Capillaire and 3 st. to Singleton.

Although as many as twenty horses started for the Stewards' Cup, it was the smallest field which had contested that race for the last thirty-five years. When the weights appeared, Lollypop seemed to have by far the best chance of victory. Suddenly, however, a very lightly weighted colt by Rosierucian, named Cagliostro, was made first favourite. This animal had only run in one previous race, and had then suffered a most inglorious defeat; but now there were reports of his having won two private trials, and a vague impression arose that he was one of those mysterious and too often ruinous entities technically known as "good things." People began to recollect, too, that he had cost 1,300 guineas as a yearling; so between his trials and his price the "good thing" became quite a mania among backers. Warrior and Monk, who had been second and third in this race last year, were trying again; but they had been condemned to very steady weights as mementos of the race of '77, while Lollypop had actually 3 lbs. less to carry now than before. When the numbers of the starters were put up on the signal-board, a notice was simultaneously posted, amidst general surprise, to the effect that the owner of Lollypop "declared to win" with Midlothian. At the end of the race Lollypop and Midlothian were leading, and the former was apparently winning with the greatest ease, when the very large number of people who had backed him before his owner's declaration had the satisfaction of seeing his jockey pull him in and allow Midlothian to pass and win the race. So freely was Lollypop going, that unless he had had a very strong jockey upon his back he could not have been stopped. As it was he had to be pulled at suddenly, until all his weight was thrown on his haunches. This proceeding, we may add, was perfectly legal according to the canon law of the Turf, however inconvenient it may have been to the backers of Lollypop. We shall only refer to one other incident connected with the Stewards' Cup, and that is the figure cut by the "good thing." When standing still or walking about before the race he pleased everybody. Even in the early part of the race he assumed a fairly prominent position. As soon as the real struggle began, however,

like many other "good things," he disappointed his admirers, and his mission was evidently to preach a practical lesson upon the inferiority of private reputation to public form.

We are pleased to observe that so straightforward a sportsman as Lord Falmouth possesses two such excellent fillies as Leap Year and Wheel of Fortune. We lately pointed out that the former had distinguished herself at Newmarket, and we now have the pleasure of noticing that the latter, though scarcely so good-looking, is probably an even better two-year-old. For the Richmond Stakes, which was worth nearly two thousand pounds, both fillies started, as also did the Chance colt, which has lately been named Cadogan. Leap Year and Cadogan had each 6 lbs. extra to carry, and neither of them were quite in form, the latter especially, so there was no reason for surprise at their defeat. Thirteen two-year-olds started for the race, and Wheel of Fortune made all the running and won in a canter by two lengths from Peter, a very nice-looking colt by Hermit. The winner is by Adventurer out of Queen Bertha, winner of the Oaks. She is engaged in the Middle Park Plate, and in most of the principal three-year-old races of next year except the Derby. Whatever her own merits may be, it would be well for the Turf if more of its patrons resembled her owner. It is a notable fact that, although he has a large stud of racehorses, we never hear anything about his "intentions."

One of the most interesting handicaps of the season is the Goodwood Stakes. Few, if any, handicaps are as great tests of the endurance of the competitors. Many long races are practically of no great interest as trials of stamina, as the horses only canter slowly until within five furlongs of the winning-post; but in the Goodwood Stakes it is quite a different affair, as a large field of horses usually starts for this race, and out of these some have generally no chance of victory unless ridden out from the beginning to the end of the two miles and a half. Indeed, for the last couple of years the race has been run at something very little short of Derby pace, and as the latter race is about a mile shorter, the Goodwood Stakes speed must be considered extremely fast. Hampton, who had won this race before, had great claims to favouritism, for although he had the heavy weight of 9 st. to carry, his running on several occasions proved that he had great prospects of success. Doubts were, however, entertained as to the soundness of his forelegs. It was said that this failing had prevented his undergoing the training necessary for so severe a race; and that it was far from improbable that he might break down before reaching the winning-post. Advance had an equally heavy weight to carry; but his wretched running in the Liverpool Cup was thought sufficient proof of his incapability of winning a race like the Goodwood Stakes under such a burden. Nevertheless, when we remember some of his previous victories and forward positions at the ends of races, we do not think that the handicapper would have been justified in letting him off lighter. The greatest favourite was Norwich. He is a four-year-old by St. Albans, and had shown staying powers; but he had never distinguished himself very highly, nor could he be called a handsome horse. In the course of his life he had run in thirteen races, of which he had lost twelve; but the only race in which he had been successful was over the trying distance of three miles and a half; so that it seemed probable that staying was his forte, especially as he had also run second in long races on more than one occasion. He had now but a light weight to carry, and Fordham was to be his jockey. Strathmore had to carry extra weight for winning the Liverpool Cup, which, combined with his uncertain disposition, made his chance a very doubtful one. Several other winners of important handicaps this year also started; notably Mida, winner of the Great Metropolitan Stakes; Chesterton, winner of the Ascot Stakes; and Glastonbury, winner of the Northumberland Plate. After an excellent start, at the first attempt, the running was made at a great pace by Shillelagh, who, it may be remembered, won the Levant Stakes, and also the Molecomb Stakes, at the Goodwood Meeting of 1876. After he had led for the first mile, the running was taken up throughout the second mile by Roubigant, after which Shillelagh again went to the front. At the distance Shillelagh was tired out, and he swerved heavily against Norwich. Fordham, however, rode the latter with wonderful patience, determination, and judgment; and, despite this mishap, he managed to win his fifth Goodwood Stakes by a length. Hampton was second, a neck in advance of Strathmore. Under the circumstances there can be no doubt that the race would have been lost had it not been for Fordham's fine riding; but this must not detract from the merits of Norwich's victory, as the skill of his jockey did but counter-balance the effects of his misadventure. For the Levant Stakes Rayon d'Or and Flavius ran a remarkably fine race—the former winning by a neck. Strathern also started, but he had 6 lbs. extra to carry, and the half-mile course was a little too short for him. The Sussex Stakes had promised to be a very interesting affair, as it had an excellent entry, but when the time arrived, only Insulaire and Clocher went to the post, and, as the former was evidently unprepared, and had 5 lbs. extra to carry, Clocher was enabled to win by a length. Strange to say, although long odds had been laid upon Insulaire's winning, after his defeat he became, if anything, rather a better favourite for the St. Leger. Inval, who had been a very good third in the Grand Prix, had no difficulty in winning the Drawing-Room Stakes; and Lord Clive beat Clementine by a length for the Goodwood Derby. Clementine was again beaten later in the week by Eau de Vie, to whom she was giving 7 lbs. She appeared to be winning in a canter, when she suddenly

slackened her pace, and allowed herself to be passed just before reaching the winning-post. Lollypop was allowed to win the Chichester Stakes to make up for his disappointment in the Stewards' Cup, but neither he nor Dalham could catch Trappist in the Singleton Stakes, although a mile was supposed to be too long a course for the last-named horse. The result of this race goes far to prove that Trappist, although very uncertain in disposition, is the fastest horse in training, now that Petrarch is out of the way. Midlothian won another good race in the handicap called the Chesterfield Cup, after a tremendous struggle with Rylstone. He is a neat-looking horse, but is small, not standing higher than fifteen hands and one inch.

Were it not for the romance of the thing, the Goodwood Cup would be a race of very little interest. Its value this year was very trifling compared with many of the other races of the meeting, and only three horses contested for it. Pageant is rather a good handicap horse than a cup horse, and Lady Golightly had been beaten by ten lengths in the Ascot Gold Vase by Verneuil last June; Kinsem, a chestnut mare by Cambuscan, had been sent all the way from Hungary on purpose to run for this race. Although she had never started for a race in England before, she had won thirty-six times in Hungary and Austria, and had never been beaten. The first part of the race was run at a slow pace; but for the last mile or mile and a half it was good. Some distance from home Kinsem had it all her own way, and she won with great ease, although in his excitement and anxiety her jockey spurred her a good deal. She is a high mare, standing over sixteen hands and one inch, and she is rather long than short in proportion. Some judges considered her the ideal of a racehorse, while others thought her rather light, especially in her back ribs—but all agreed that she was a splendid mover.

Upon the whole, although the racing during the late Goodwood meeting was tame, it was no worse than the average of the last two or three years; and there were not half so many walks over this year as last. The racing lost much of its interest through the absence of both Verneuil and Jannette, who met with slight accidents which prevented their running after they had arrived at Goodwood. One of the greatest nuisances of Goodwood was much abated this year. Formerly the dust rendered the journey from the railway stations to the course almost unendurable, but on this occasion the roads were well watered. We have only to add that the weather was beautiful, the course in splendid order, and the attendance rather over than under the average.

REVIEWS.

HISTORICAL BALLADS OF TURCOGREGIA.*

POLITICS apart—an exception of which we readily concede the importance—Greek patriots of the present day have good reason for a feeling of gratitude towards the friends of their country and its language in the West of Europe. The labours of English historians and scholars who have helped to redeem from utter obscurity and oblivion the unhappy period intervening in Greek history and literature between the close of the fifteenth and that of the eighteenth century are of a kind equally honourable to author and subject. It is well known how assiduously French men of letters have done their part to vindicate the long-standing claim of their country to being in a special way the patron or friend of modern Hellas. The Germans have of recent years been specially active as contributors to the history of modern Greece. Hertzberg's work, of which the third volume has quite recently appeared, is not likely to be neglected even by the readers of Finlay; we are acquainted with no better-balanced, and yet at the same time more sympathetic, narrative of the Insurrection than that by Karl Mendelssohn Bertholdy; and for literary history Rudolf Nicolai's compendium contains a mass of closely-packed information. In truth, the Germans may claim a very ancient right to be counted among the most consistent of literary Philhellenists, inasmuch as it was a German who, towards the close of the sixteenth century, almost re-discovered the Greek people for the learned world. The visitor to the brisk and flourishing University of Athens at the present day, who soon becomes aware of the multifarious connexions between its professors and those of several German Universities, may naturally call to mind the correspondents of the Tübingen Professor Martin Crusius (Kraus), whose names are recorded in his famous *Turcogregia*. They were, says a native authority, M. A. R. Rangabé, in his recent *Literary History of Modern Greece*, "men full of an enlightened zeal, who, escaping the vigilance of the masters of the country, or taking advantage of their careless ignorance, established and maintained schools. They are partly the vestiges of a destroyed past, partly also the representatives of that vague instinct of a better future which has never abandoned the Greeks, even when fate raged against them with the utmost severity." Such a one, half a century later, was Milton's correspondent, the Athenian Leonardos Philaras, in whom the great Englishman loved to address an offspring of the

Mother of arts

And eloquence, native to famous wits,

* *Recueil de Poèmes Historiques en Grec vulgaire relatifs à la Turquie et aux Principautés Danubiennes*. Publiés, traduits et annotés par E. Legrand. Paris: E. Leroux. 1877.

but no longer "hospitable" to them as in the ancient days, and who in return would gladly have engaged the interest of the statesmen of the commonwealth on behalf of his unfortunate native land in that direct form which the Greeks have often sued for in vain.

But the literature of Turcogregia, that is of Greece during the three centuries of Turkish dominion, to which belong the ballads reprinted from forgotten copies and translated by M. Emile Legrand, was of a kind which would hardly have attracted the literary interest of Crusius or Milton. These historic poems are not indeed, properly speaking, to be placed in the same category as those Clephitic songs, to which Greek literature is no doubt indebted for the preservation of its popular element in something like the degree in which Greek national life is indebted for the vitality of its popular element to the Clephuria itself. But they are popular ballads, composed, whether their *venue* lies in Constantinople, in Roumania, or in Crete, for popular ears; written in that Vulgar Greek which sufficed for the needs of popular literature before the great but temperate reform of Korais; adhering to what we believe is the favourite metre of the Clephitic songs, and at all events possessing that rude species of rhyme, the national predilection for which was compared by Korais to the fondness of the Ethiopians for their black Venus. M. Legrand, with an industry for which philological students owe him special thanks, has furnished not only an ample glossary, but (in his introduction) a table of the changes of sounds in the Vulgar Greek; he has likewise added that for which we fancy few readers will fail to feel grateful to him, a French translation both spirited and (so far as we can judge) sufficiently literal to lose nothing of the colour or flavour of the original. In neither of these can the poems contained in this volume be said to be wanting. We hardly remember a more copious burst of indignant lamentation than the complaint against Death (here associated with Jealousy and Charon, with the latter of whom he is afterwards identified, as he is in one of the Clephitic songs, translated by Rangabé) for having allowed an ignominious fate to overtake Michael the Brave, beginning:—

Ὁ φθόνε τρισκατάρτε, ἀναθεματισμένε,
Χάρε ἀνελεήμονα, καὶ θάνατ' ὄργισμένε,
καὶ πῶς ἀποκοτήσετε αὐτὸν τὸν ἀνδρειωμένον,
νὰ τὸν ἀφήσετε γυμνὸν ἔς τὴν γῆν ἐξαπλωμένον.

Sun and moon, rocks and trees, mountains and plains are bidden to join in the complaint; for the company of all brave men (ὅλα τὰ παλῆγκρια) have lost him who was feared by both drákoι and λεωτάρια, who worked so hard διὰ τὴν ὀρθοδοξίαν, and hoped to see the service of the Church performed μέν' ἔς τὴν ἁγίαν Σιφίαν. But Charon cares nought for the brave; emperors (βασιλεῖς), kings (ῥηγίδες), and brave men are all alike shut up in Hades; there is Alexander the Great, and Belisarius, and Solomon, and Samson; and Michael, too, has perished a victim of malice:—

χίλοι ἐξακόσιοι καὶ πρῶτον ἦγον ἔτος
ἀπὸ Χριστοῦ γεννήσεως, καθὼς ἔτρεχεν τότε—

a couplet which may seem flat, but which we could parallel from at least one Elizabethan dramatist, who likewise wrote for popular audiences. That, on the other hand, a comic, or at least a satiric, flavour is not absent from some of these poems, especially where Jews are in question, will be seen later on. We may add that M. Legrand's illustrative introductions and notes are sufficiently elaborate for the specialist, though some more general historical information might perhaps here and there have been welcome to other readers.

If it be difficult to overrate the significance of the vitality displayed by the Clephs for the movement which the future had in store for Greece, modern historians have scanned with a closer and perhaps less indulgent eye the services rendered to the cause of their nation or nationality by the Fanariotes. With the efforts of the Mavrokordatos, indeed, not only the beneficent revival of Hellenic intellectual life is closely associated, but to them are also due the beginnings of modern civilization in regions whose destiny seems permanently separated from that of liberated Hellas. In Roumania the insurrection against the Turkish dominion made an early, though, as it proved, a fatally false, start. But with these later consequences, for good or for evil, of the influence of the Fanariote Greeks, when some of them had become provincial governors, we are not here concerned. In the sixteenth and seventeenth centuries the Greeks neither hoped nor feared much for the downtrodden national cause from the busy and versatile personages of their race who at Constantinople had contrived to ingratiate themselves with the Turkish rulers, and to acquire wealth, power, and influence, at times no doubt by processes more or less cognate with those adopted by their compatriots in Old Rome. To the hard, but not unmerited, fate of one of these worthies the first of the poems reprinted by M. Legrand is a sympathetic tribute. The name of Michael Cantacuzene was notorious in his own age (the latter half of the sixteenth century), and was made known to Western readers by the Turkish Diary of Stephen Gerlach, a friend of the Crusius mentioned above, and chaplain to the Ambassador of the Emperor Maximilian II. at Constantinople. Gerlach, from whose narrative M. Legrand cites a long extract, relates that even in Michael's lifetime doubts were thrown on his descent from the illustrious Byzantine family whose name he bore, and that he was said to be the offspring of English parents who had settled in Turkey. However this may have been, he raised himself to the position of one of the most

influential financiers of his day, obtained the banishment of a rival Fanariote (one of the Paleologs), and ingratiated himself with the Grand Vizier, Mahomet Sokolly, to such an extent as to be able "successively to create and dismiss Patriarchs, and protect or persecute the Greeks, according to his will and pleasure." Such was his wealth that in 1571, after the catastrophe of the Turkish fleet at Lepanto, he was able to present the Sultan with fifteen galleys. After he had succeeded in marrying one of his sons to a daughter of James Rhallis, a Greek merchant of Adrianople, who was able to give his daughter a dowry of 50,000 ducats, he had a forewarning of disgrace by being thrown into prison, but soon recovered his liberty and was appointed μέγας πραιποσίτου to Sultan Selim II.—a post of which Gerlach translates the name by *Türkischer Einkäufer* and M. Legrand by *grand fournisseur*, and of which the annual income amounted to 60,000 ducats. Out of this he had to furnish various requirements of the Court, and especially "the most costly furs from Muscovy, with which the sovereign honours the grandees of the Court, and the Beglerbegs." But two years afterwards the fall came, Sultan Mourad III. having given ear to the jealous representations of Cantacuzene's rival, and to the promptings of his own avarice. A charge was trumped up against the Grand Contractor of having fostered intrigues in Moldavia, and "the son of the devil," as he was popularly called, was hanged opposite his own door, special orders having been given to the *καπιτζήμαση* (capidgi-bachi) that not a pin of the culprit's property should be allowed to be lost.

This story is told with brevity, but great dramatic clearness, in the ballad reprinted by M. Legrand. It is sometimes said that events have a tendency to repeat themselves in Turkey; and in another part of this volume will be found, sung at great length, the catastrophe of another Fanariote, George Stavrakoglou, who rather less than two hundred years after the death of Michael Cantacuzene, met with his own under strikingly similar circumstances. His oppressions in Wallachia (where, as the ballad says, without being Bey, he really was lord and master)—

χωρίς να γίνῃ Βλάχπεγης ἔιχε τὴν αὐθεντίαν—

proved the cause of his ruin; but before this at Constantinople he had been cursed by the people. Cantacuzene had obtained a monopoly of salt; Stavrakoglou acquired that of tobacco: and with the result—

Νὰ τὸν πουλῶν εἰς τὸν παρὼν μόνον δράμα τρία,
νὰ τῷ χῆρ' ὅς τὴν ψυχὴν τοῦ μεγάλου ἀμαρτία—

i.e. he caused tobacco to be sold at famine prices; may the great sin thereof be upon his soul!

Of the remaining ballads in this interesting collection the largest and most elaborate is that already referred to concerning the exploits and death of Michael the Brave; but there are three others which, to our minds, possess a more living interest. These are connected with the unhappy Cretan insurrection of 1770 and its results. Whatever may have been the sentiments of the Greeks towards Russia and the Russians of late years, it has always struck us as remarkable that the Greeks should have so easily forgiven their shameful abandonment by Russia, after she had encouraged them to rise against their Turkish masters in 1770. The Morea was the principal theatre of this revolt, and of the horrors which avenged it; but in Crete also the brave Sphakiotes had raised the cry of liberty, and undertaken to sacrifice their lives *νὰ γίνῃ Ῥωμιοσύνη* (that the Hellenic nation might be restored). Their leader was ὁ Δασκαλογιάννης τῶν Σφακιῶν (master John of Sphakia, whom we observe that Hertzberg calls Johannes Daskalakis; but the ballad before us shows that *δάσκαλος* is not a proper name; and in his Glossary M. Legrand gives "γραμματεὺς," and in the translation of a passage of another ballad "*secrétaire*," as its equivalent). But, as the ballad relates, the insurrection was overthrown by an enormous Turkish force; and the captured leader, according to the ballad, was cruelly tortured and cast into the sea, there, as the Turks are made mockingly to tell his disconsolate child, "to sit and divert himself with the other Pallikares." A second ballad relates the entry of the Turks into the Sphakia district, which, the poet says, has been denied; and M. Legrand has been enabled to add a third, which narrates the exploit performed shortly afterwards by the irrepressible Sphakiotes against a Turkish proprietor, Alidakis, whose "pyrgos" or castle they took and despoiled, and whom they slew together with his companions and negroes. His son and namesake, it appears, survived to defend himself successfully under similar circumstances against the insurgent Sphakiotes in 1821. These poems will be read with deep interest, and the apostrophe which one of them contains to Crete, beginning

Κρήτη τὸ φῶρος τῶν νησιῶ, κορὼνα τοῦ Λέβαντε—

"O Crete, the flower of the isles, the crown of the Levant," can hardly be read without emotion.

We should have liked in conclusion to give some account of two anti-Jewish poems—one comic, one tragic, and the former especially full of real dramatic power—of which we must restrict ourselves to briefly indicating the contents. One is the history of the Jewess Mareada, a lovely Jessica who was carried off "μέσα εἰς τὴν Πόλιν," in the midst of Stamboul, by the Albanian Dimos, who was not only a Christian, but also a baker. We have rarely read anything more vivacious of its kind than the description of the tremulous meeting of the Jews to take counsel on the calamity; but their efforts to catch the lovers prove in vain; the pair are re-

ceived and wedded with the utmost splendour at the court of the Wallachian prince—the bride having been previously baptized and taken the name of Saphira; while, as for her kinsmen at home, they hardly ventured after this to leave their houses and cross the street, where Armenians and Greeks laughed at them and called after them "wives of the Albanians." The deep and uncompromising hatred of the Jews displayed in this poem assumes the form of a ready belief in the foulest of charges ever brought against the Jews by the Christian prejudice of the Middle Ages, in the poem entitled "The Child Crucified by the Jews," with its sequel of "The Exhumation of the Crucified Child." The facts on which the story of the ballad is based occurred at Zante in 1712; the "miracle" narrated in the sequel is said to have happened forty years later. It would not be difficult to give special reasons for the hatred of the Greeks against the Jews which these poems display; but Western parallels of different dates rise to the mind too readily to make such comments necessary in the present instance.

MAYERS'S CHINESE GOVERNMENT.*

WE confess that we sat down to review this book with some misgiving. We expected it to consist of a dry list of titles, with nothing to relieve the monotony of column after column of Chinese characters but possibly the bare meaning of the several designations. Such a work would doubtless have been valuable to students of Chinese, but it would have left the reviewer very little to say about it. Fortunately for ourselves as well as for all possessors of Mr. Mayers's latest work, we were completely mistaken in our estimate of its probable contents. The titles are there, it is true, but they are accompanied by so much descriptive matter that they attain no wearisome prominence, and serve only as headings to paragraphs containing much interesting and readable matter.

Mr. Mayers, whose recent death is, in the interests of Chinese literature, much to be deplored, for some years filled the post of Chinese Secretary of Legation at Peking, and thus enjoyed unusual opportunities for the compilation of such a work as the present. In almost daily communication with the officials who hold the reins which guide the affairs of the whole Empire, he was able to watch the working of the machinery by which a territory as large as Europe is governed and administered. The results of his observations are well worthy the consideration of all who may be interested in the solution of the question of how, amid the constant changes that have taken place in the map of Asia, the frontiers of China have for so many centuries been maintained as unchanged as the form of government which has preserved them. As Mr. Mayers says in his preface:—"The foundations of the Chinese State repose upon an all-pervading officialism, a bureaucracy trained through the national system of education to apply the maxims of government enunciated centuries before the dawn of the Christian era, and impelled by motives of self-interest to reject the introduction of all principles at variance with these venerable dogmas." To Confucius, then, must be ascribed the honour of having established the general principles of government which have withstood the shocks of countless revolutions and of endless changes of dynasty. For it was he who gave to the national mind that retrospective bent and that reverence for antiquity which has served to stereotype the system of education which has been in force for so many centuries in every school in the Empire. Every Chinese lad follows exactly the same course of study from the first reading-book up to the classics of the country; and it is only by perfecting himself in these works that he can hope to satisfy the universal ambition to gain a footing in the public service. This craving for official rank, while it secures to the State the services of the most able men, tends also to increase the numbers of the non-producing classes by the addition of all those who are fired by ambition, but who have not the ability to secure its gratification. In every district the officials hold periodical test examinations, which the student has to pass successfully before he is allowed to appear before the Literary Chancellor of the Province at the biennial examinations. A candidate who is successful on such an occasion receives the degree of *Siu-ts'ai*, or Licentiate, and is entitled to present himself at the triennial examination, which is held at the provincial capital under the presidency of examiners especially appointed from Peking. Ten or twelve thousand candidates generally compete on these occasions, and of this number about three hundred—the number is limited by regulation—obtain the degree of *Kü-jên*, or Provincial Graduate. A kindly respect for age provides also that candidates above the age of eighty or ninety who have presented themselves at repeated examinations without passing shall be rewarded for their industry with honorary degrees of this rank. The next ordeal through which these successful competitors have to go is held every third year at Peking, when the degree of *Tsin-she*, or Metropolitan Graduate, is granted to the first three hundred and fifty of the five or six thousand candidates who present themselves for examination. From the possessors of any of these three degrees the Mandarins of the Empire are chosen, and thus is secured for the administration of the country a body of men who are deeply saturated with the maxims of Confucius and of the other canonical writers. In 1843, when serious financial

* *The Chinese Government: a Manual of Chinese Titles, Categorically Arranged and Explained.* With an Appendix. By William Frederick Mayers. London: Trübner & Co. 1878.

difficulties beset the Government, the experiment was made of raising funds by the sale of offices. Since that time this new system has been extended with the result that, as Mr. Mayers says, "the purchase system, whilst admitting thousands of corrupt and incapable persons to official position, has at the same time opened avenues of advancement to a class which is unfettered by literary traditions and prejudices, and has tended to weaken the hold of the narrow maxims of antiquity upon the conduct of public affairs." It is difficult to imagine that the benefit thus discerned by Mr. Mayers can nearly outweigh the evils arising from such a system; and the motives of self-interest which impel the Mandarin class to maintain the existing order of things would probably have greater weight with men who had bought their offices than with men who had earned them.

The officials appointed by either of these two methods are distributed over the eighteen provinces into which the Empire proper is divided, and each of which enjoys a separate autonomy. Each province maintains its own army and navy, and collects its own taxes, the central Government being content to nominate and control the officials, and to receive annually sums, varying according to the capabilities of the several districts, for the expenses of the Court and the Government. The modern division of the Empire into provinces dates from the Mongol dynasty, which was established by Jenghiz Khan. The succeeding Chinese dynasty accepted the system as they received it from their predecessors; and when, in 1644, the Manchoo conqueror, having put his foot on the neck of the last scion of the Ming dynasty, ascended the vacant throne, he not only adopted with some modifications the existing divisions of the Empire, but in a majority of instances confirmed the then holders of offices in their posts. With equal wisdom he resorted to no violent reform in the administration of the central Government. In matters of detail, however, it was inevitable that changes should be made, and at the present day the designations of several of the more important offices bear evidence of their having been the result of conquest. The Council of State, for example, is known in Chinese by a designation which means "the Place of Plans for the Army," and dates from the time when martial law was necessarily predominant in the councils of the Empire.

The intercourse with foreigners which has sprung up since the accession of the present dynasty has been the means of introducing some changes and reforms in the Government offices. The ascendancy acquired by Ricci and other Jesuits at the Court of Peking finds expression in the provision in the statutes of the Empire for the appointment of two Europeans to the Imperial Board of Astronomers, and the contempt with which the Russians were regarded during the last century is evidenced in the permission granted them to share with the tribute-bearing Loochoons instruction in the Chinese language at a school set apart for the purpose. But the war of 1860 brought about a far more important innovation. With the establishment of foreign Ministers at the capital it became necessary to provide an office of Foreign Affairs, for it was obvious that the Mongolian superintendency with which the Russians, who alone had a representative at Peking, had been content to communicate, was incompetent to deal with the wider questions of European politics. Proposals were therefore laid before the Throne by a Special Council convened to decide upon the manner in which foreign affairs should thenceforth be conducted. In reply to this memorial a decree was issued commanding the formation of the Tsung-lee Yamun, as the new department is called, and appointing Prince Kung, a brother of the reigning Emperor Heen-fang, to the chief seat at the Board. Fortunately for the preservation of friendly relations with foreign Powers, the Prince still holds the post he at first occupied, but his original colleagues have all, from various reasons, retired from office.

The prowess of late displayed by the Chinese troops in their campaign against Sungaria and Kashgaria would naturally lead, as it has already done in some quarters, to an over-estimate of the capabilities of the army as it now exists. The bulk of the regiments employed in Central Asia, however, consisted of the *élite* of the Peking field force, which is composed of 18,000 or 20,000 men, all of whom are armed, drilled, and manœuvred after the European fashion. The remainder of the men serving under the "Eight Banners" into which the Manchoo troops are divided still carry bows and arrows, and gingalls, while, with the exception of a few regiments of foreign drilled troops, the Chinese Provincial Forces, numbering in all some 400,000 or 500,000 men, are, as Mr. Mayers justly describes them, an absolutely effete organization. On all occasions when active service is required these troops are superseded by "Braves," the counterpart of the Turkish Bashi-Bazouks, who are enlisted and discharged according to circumstances. As the pay of these men is always doubtful, the campaigns in which they are engaged are mainly conducted on the principle of making war support war, and their presence is as much an object of dread to loyal citizens as is that of the enemy. By a people who consider the turn of a sentence a greater achievement than the capture of a city, the profession of arms is naturally despised, and few rewards, therefore, meet the soldier on his return from the wars. Peacock feathers for some of the subordinate officers, a yellow jacket for the successful general, and the bestowal of the Manchoo title of Baturu, or "Brave," on some of the most distinguished brigadiers, are probably all the honours which await the return of a triumphal army. The reward which fell to the share of "Chinese" Gordon for the part he took in the suppression of the Taiping rebellion was a yellow jacket, and the title of Baturu

has lately been bestowed on Mr. Mesny for years of faithful service against the rebels in the province of Kweichow.

The systems of administration in the outlying provinces of Manchuria, Mongolia, and Turkestan are entirely military. This, so far as Mongolia is concerned, is sufficiently proved by the fact that the existing organization of the various tribes is that which was adopted by the successors of Jenghiz Khan. Of late efforts have been made to assimilate the government of Manchuria to the provincial administration of China proper, but little progress has as yet been made in this direction. Mr. Mayers gives us much curious information on these subjects, and brings the body of his work to a conclusion with a most interesting chapter on Tibet, in which he traces the growth of the Lamaist Hierarchy from the reign of King Srongtsan Gampo (in the seventh century A.D.), the first introducer of Buddhism into Tibet, down to the present day. The principal object, however, with which the work before us was written was, not so much to give a general account of the powers of government which radiate from Peking to the frontiers of Siberia, Afghanistan, India, and Siam, but, as the title-page tells us, categorically to arrange and explain Chinese official titles. The want of such a work has long been felt by students of the language, to whom the numerous non-descriptive titles and the endless synonyms employed present serious difficulties. The Governor of a Province, for instance, is generally known by the title of *Seun-fu*; but officially he is styled *Fu-yuan*; colloquially he is spoken of as *Fu-tai*; in official correspondence he is described as *Pu-yuan*, and in the epistolary style as either *Chung Ch'eng* or *Fu-keun*. The confusion thus created is further complicated by the fact that these titles supply no better descriptions of his official position than writing him down "Inspector" or "Controller." A Grand Secretary of the Privy Council, again, is colloquially known as *Chung tang*, literally "Central Hall," and a President of an Imperial Board as *Shang-shoo*, or "controlling clerk." All such difficulties Mr. Mayers has made it his business to explain, and under 612 principal headings, besides countless sub-headings, he has succeeded in compiling a very complete list of the various titles borne by the host of officials who form the metropolitan, provincial, and colonial Governments of China.

COUNTY VERSUS COUNTER.*

THE hero of Mr. Monro's story is Mr. Victor Ross, a young timber merchant; the heroine is Diana Trevor, the granddaughter of the Duke of Wessex. He represents the county, she the county. But the contrast, the author felt, would be scarcely enough marked by only one pair of lovers. Victor accordingly has a sister Eva, with whom the heir presumptive to the title and estates of the Earl of Margate, Captain the Honourable Charles Norman, falls in love. On one side indeed Victor and Eva could boast of a country rector for their grandfather; on the other side they traced up their line to a race of village carpenters. Diana's father had held a commission in the Guards, and had been celebrated throughout the higher circles for his attractive appearance and courtly bearing. He had been the darling of the most exclusive sets. He had had the *entrée* into the innermost coteries of the most exclusive society in Europe. He had married a daughter of the excellent Duke of Wessex, in whom the blood of the Royal Stuarts ran, and his marriage had placed him on a pinnacle of fashion, and had been a pledge to the outside world of his intrinsic nobility of character and moral worth. No wonder that both he and Lady Adela Trevor, his wife, were astounded at the assurance of a timber merchant in daring to ask for the hand of their daughter. He, as all right-minded people felt, could be no fit mate for the heiress of the Trevors, for the granddaughter of the Duke of Wessex. If any one was clearly meant to marry that admirable young lady it was the Honourable Charles Norman. The Earl of Margate, his brother, that dissipated but still distinguished-looking nobleman, was a man of no great property or county influence. His life was near its close, and his brother would shortly succeed to the title. "An alliance with the House of Trevor," it was seen, "would bring much influence into the Margate family, while a connexion with the house of Wessex would immediately shoot Captain Charles Norman into the very centre of the most distinguished social and political circles in the land." There was really no reason why the heir to the earldom and the granddaughter of the Duke should not have fallen in love with each other. She was lovely and lovable, and he was well set up and well groomed (*sic*). His dress combined military smartness with fashionable simplicity. But a countess, as Mr. Monro tells us, occupies a social pedestal, and there was, perhaps, about the lovely Diana a liveness—we might almost say a giddiness—that rendered her very unfit for occupying a pedestal of any kind. At all events neither did this scion of the house of Wessex, in whose veins ran the blood of the Royal Stuarts, fall in love with the heir presumptive to the earldom, nor did the heir presumptive fall in love with her. That a man's dress should combine military smartness with fashionable simplicity is no small recommendation in a lady's eye. That he should be "well groomed," must be, we dare say, a still stronger recommendation. But what are such qualities as these when set in opposition to the heavy golden beard of a young timber merchant, to the hair that refused to part but that curled all over his head in

* *County versus Counter*. A Novel. By Theodore Russell Monro, Author of "The Vandeleurs of Red Tor," "Love Lost, but Honour Won," &c. 3 vols. London: Chapman & Hall. 1878.

crisp waves of golden brown, to the look of vigour which pervaded him, and to his colossal proportions and his keen blue eyes? Diana, though she felt that he possessed indeed none of the points of personal appearance that she had been accustomed to consider aristocratic, yet nevertheless admitted to herself that never before had she seen so splendid a specimen of manhood. The heir presumptive on his side was just as much struck with the appearance of Victor's sister, Eva. This admirable young lady—and here she altogether differs from the story in which her charms are described—was, we read, never uninteresting or inane. In figure she was a queenly woman, as we are told in the first volume. By the second volume she would seem to have fallen somewhat back, for she was merely a superb woman so far as figure went. Her gait was swift and noiseless and queen-like, and she seemed to know by intuition her distance from everything with which she was likely to come in contact. We do not quite understand what heroic quality it is that is described in this last sentence. If a heroine has a Grecian nose it is certainly better that she should so exactly estimate her distance from everything with which she is likely to come into contact as never to damage it by running it against a post. We must remember, moreover, that the author has just told us that her gait was swift and noiseless. It might have occurred to him that his readers would at once think that she was the more likely to be knocked over by anything that met her. He therefore, in a very considerate manner, at once forestalls their anxiety by the assurance that there was really no danger, for she seemed to know by intuition her distance from everything with which she was likely to come in contact.

Such, then, is the ingenious way in which Mr. Monro brings counter and county together. On one side we have the granddaughter of a duke and the heir presumptive to an earldom, on the other side we have the children of a timber merchant, the grandchildren of a village carpenter. It was in vain that the Earl of Margate did his best to smooth the way to a match between his brother and Diana Trevor. It was in vain that Lady Adela, in her first visit to the earl and countess, exceeded the fashionable limits of a morning call. It was no less in vain that she said openly to Victor, "It is not from your rank of life that we should expect a husband for the descendant of the Trevors and the FitzHenrys." County people, when once they find that their only daughter has fallen in love with one of the counter people, would do well straightaway to sell off their carriage and horses and to take to sedans. Certainly they should never drive anywhere in the neighbourhood where the lover is likely to be found. In total disregard of these first principles of the commonest prudence, her parents take out this descendant of the Trevors and the FitzHenrys in their carriage, and take her along a road which led down a very steep hill, at the foot of which, close to a river, was the timber yard of the youth whose beard was heavy and golden, whose hair curled in crisp waves of golden brown, and who was remarkable for the look of vigour which pervaded him. The horses, as every one who has but the most moderate acquaintance with novels must know, at once dashed down the slope at a terrific pace. The hero, putting forth all his herculean strength, attempted to stop them in their wild career. They were so badly hurt that they had to be killed, and he was himself very much injured. The three descendants of the Trevors and the FitzHenrys were saved. It might have been thought that the most aristocratic of aristocratic hearts would have been overcome by such a scene as this, and by the recollection of services thus rendered. But a duke's daughter is not easily moved. Like a countess, she occupies a social pedestal from which she does not easily descend. Neither author, hero, nor heroine is discouraged. If a carriage accident is not sufficient, let us see if even a FitzHenry can be proof to the narrowest escape from drowning. Accordingly Diana goes on a boating-party. The boat, as always happens to every boat that bears a heroine, is at once upset, and she is being rapidly carried down the river out to sea. "Her two little hands clutched the woodwork of the boat, and her two wild dark eyes looked out in vain for help across the river's breadth." But had she for a moment recalled to her mind the experience of a hundred, we might say of a thousand, heroines, she would never have felt more thoroughly at her ease. She might have said, "Aha, proud parents, did not my rescue from death by a carriage accident move your haughty hearts? You are now going to see me miraculously delivered from drowning by the same herculean strength that formerly saved me." Of course Victor had been on the bank, and when she looked out again for help she could see his yellow hair above the wavelets. It was well that he was a powerful athlete, and that love gave him superhuman strength, for he was only just in time.

The reader will scarcely credit us when we tell him that the heart of the daughter of the Duke of Wessex was still hardened. A descendant of the FitzHenrys and the Trevors should never marry a timber merchant. There was nothing left for the author to do but to bring the heroine a third time to the very brink of the grave. This was easily done by means of the chill of the river and the shock to her system. The old family doctor felt it time to speak out. He saw that nothing could save her but the consent of her parents to her marriage with Victor. "Give her love," he said, "and you will give her life." What choice had they? "Should their pride of birth destroy their only child? No. They knew they must give way." Happily circumstances rendered it easier for them to yield. In the first place Victor had by a sudden stroke of fortune become very rich, and could give up the timber-yard. In the second place the Honourable Charles

Norman was now Earl of Margate, and was engaged to Victor's sister. The double marriages soon take place. The school children strew the usual flowers on the path, and the crowd in the churchyard crane—people nowadays always crane—their necks forward, while the handsome young Earl leads his lovely Countess, followed by Victor and his bright-eyed bride.

We can but briefly refer to the villains and swindlers who form an agreeable contrast both to county and counter. The heading to one chapter, in which their doings are described, is "The Hornets prepare to sting." At the top of the following chapter we read with pleasure "The Hornets are rooted out." They are, indeed, rooted out. The chief among them, a villain of the darkest dye, tries in a tunnel to push the Earl of Margate beneath a train. The Earl, protected, no doubt, by that fortune which ever towards the end of a story watches over a virtuous nobleman who is engaged, but not yet married, falls beneath the rails, and, lying at full length, is not hurt. The villain, it was, who was killed. "The dog, it was, who died." The second hornet escapes for a time, but dies in a madhouse. What became of the third hornet we are not told. We should have liked, too, had we space, to dwell on the Dowager Countess of Margate, who was a woman still, not an unsexed fiend. We should have liked also to introduce our readers to Dolly Darell, a young gentleman who travelled with costly furs and monogrammed (*sic*) appointments, and scattered shillings among railway porters. We cannot refuse them the pleasure of reading the following account of the manner in which he became engaged to Lady Blanche FitzHenry:—

I'll tell you how it all came about, Guss. Mother and the Duchess put their heads together one fine day. Said the Duchess, "Blanche is nearly thirty; even though she is Lady Blanche FitzHenry, she will be an old maid." Said Mother, "Dolly is going the pace. If we do not pull him up, he will be ruined." Then the Duchess and mother looked at one another and nodded; Blanche and I were told to go and get married, and we are going to be obedient to parental commands.

There may be some readers who are not satisfied with dukes and duchesses, earls and countesses, villains and timber merchants. Such will perhaps, in the great variety that Mr. Monro provides, be pleased with a retired tradesman who, when he is ruined by foolish speculation, is kept "from actual beggary" by a settlement on his wife—a mere matter, as he describes it, of twenty thousand pounds. If this person and his family do not satisfy them, they may perhaps find pleasure in the author's style. They may be pleased with reading that "waltzing in its perfection is a subtle expression of the brain's fancy—intellectual, sensuous, and silent." If even this does not please them, they may, with some reason, infer that neither by nature nor by education are they fit to enjoy a very silly and a very vulgar story.

BROWN'S GREAT DIONYSIAC MYTH.—VOL. II.*

MR. BROWN had intended to complete in a second volume his task of analysing the mythology which grew up around the special deity of the Boeotian Thebes. The wonderfully rapid expansion of thought and research on the subject of religious mythology has made it impossible for him to do so; and he hopes now in a third, and last, volume to give a comparative view of the solar religious idea, as it was exhibited in the archaic Egyptian cultus as well as in the Iranian, Vedic, Norse, Chaldean, and Akkadian. For scholars and students generally the interest of the second volume will lie chiefly in the efforts of the author to determine the measure in which Phenician or Semitic thought and mythology influenced those of Greece; and it must be admitted at once that some of his points must be regarded as definitely proved. There can be little or no doubt that the wish to trace all Greek mythology to an Aryan source was a reaction against absurd theories in an opposite direction, and that it led to a good deal of questionable theorizing. Thus much we readily admitted in our remarks on the first volume of Mr. Brown's work (*Saturday Review*, August 11, 1877); and we also conceded that the occurrence of such names as Kadmos and Melikertes, Athamas and Adonis, in Greek myths opened a door for free and unbiassed research into the origin of all Greek mythical names which could not be adequately explained by a reference to the Greek or any other Aryan language. Those thinkers who were most anxious to refer such names, if they could, to an Aryan source must have been at times painfully conscious that in some cases their efforts were complete failures. It is precisely in these cases that Mr. Brown professes to supply their lack of knowledge; and, at the least, his explanations deserve very careful attention, and must be admitted or rejected strictly on the evidence adducible for them, without the slightest regard to the effects which may possibly be produced on recent theories relating to Aryan mythology.

The interest of Mr. Brown's second volume centres on this point, and it is well therefore to see at once what he has to say upon it. Without wandering away to unknown ground and plunging into Semitic speculations, we must allow at the outset that the possibility of explaining a Greek name from words in a Greek dialect is no conclusive evidence of the correctness of the explanation. To the Greeks generally the name Prometheus denoted Forethought; and so thoroughly were they convinced of this that they invented an Epimetheus or embodiment of Afterthought,

* *The Great Dionysiac Myth*. By Robert Brown, Jun., F.S.A. Vol. II. London: Longmans. 1878.

whose heedlessness plunges mankind into a misery almost worse than that from which his brother had delivered them. Yet we cannot doubt that the name Prometheus reproduces the Sanskrit *Pramantha*, or churn for producing fire, and in the same way that the seemingly Hellenic *Phoroneus* is the Vedic *Bhuranyu*, as *Orpheus* corresponds to *Arbhu* and *Erinyes* to *Saranyu*. Hence there is nothing to surprise us if out of a hundred familiar epithets of Zeus or of other gods one or more which seem to be thoroughly Greek should be proved not to be so. To judge from first appearances there seems to be no more reason for doubting the Greek origin of Zeus *Meilichios* than for attributing to a non-Hellenic source the epithets which described him as *Horkios*, *Pistios*, or *Epouranios*. Still, although it must not, for an instant, be supposed that *Meilichios* is not a thoroughly Greek and Aryan word, it is perfectly possible that, as the name of the god, it may simply represent a word which is not Greek at all. There is no shutting one's eyes to the hundred forms which the root *MAK* or *MAL* has assumed in Aryan dialects; but the multiplicity of these forms does not affect the universal tendency of all tribes or nations to substitute for an unknown or foreign word the nearest sounding word or expression in their own language. The French *achat* is said to have given birth to the myth of Whittington and his cat, and the Englishman's chance melody represents the *chaude mellee* of the Norman. We are thus prepared to listen to Mr. Brown when he tells us that *Meilichios*, as an epithet of Zeus, has nothing to do with the Greek adjective so spelt, but simply reproduces the Semitic *Moloch*, *Molekh*, *Milcom*, and *Malcham*. The rites in honour of this deity are far from indicating the character which the Greek form of the name implies. At *Sikyon* he was worshipped, *Pausanias* tells us, in the form of a pyramid, while *Artemis Patroa* appeared in the shape of a column. The epithet, as *Bunsen* remarks, may have been merely euphemistic; and thus in *Amathus* "*Malika*," the inhospitable Zeus, sarcastically called *Jupiter Hospes*, had his bloody altar before the temple of *Adonis*. In Mr. Brown's opinion this name *Molekh* or *Moloch*, which unquestionably is the same as the *Bæotian Melikertes*, reappears under the form *Bacchos*. The resemblance is not much stronger than that of the French *larme* with the English *tear*; yet the origin of *larme* and *tear* from the same source is absolutely certain; and we may therefore listen dispassionately to Mr. Brown when he tells us that in the name *Melkarth* the first syllable is rarely preserved entire:—

It appears uncontracted in *Ha-mil-car*, and contracted in the names of *Mocar*, *Macar*, and *Micar*, for *Molcar*, *Malcar*, and *Milcar*. So true is *Horne Tooke's* remark that "letters, like soldiers, drop off on a long march." We next notice that the *m* frequently changes into *b*. Thus *Mocar* appears in the form *Bocar*; *Macar*, *Bacar*, &c. Thus again *Bokchos*, or *Bocchus*, the well-known name of certain Mauretanian Kings, is also written *Bocus* and *Mocus*, and is a contraction of *Malchus* or *Malek*. . . . We therefore arrive at *Bokcho*, *Bakcho*, or *Bakchar*, which in Hellenic becomes *Bakchos* or *Bachas*, as a variant form of *Melquarth* (p. 101.)

Mr. Brown next attacks *Kronos*; and it must be admitted that *Kronos* is for Aryan mythologists a perplexing personage. Professor *Max Müller*, who allows that there is no Vedic *Kronos*, holds that the name and the idea grew up from the epithet *Kronides* or *Kronion*, applied to Zeus, and understood as a patronymic. Mr. Brown cannot understand how "the son of time" is equivalent to "the ancient of days," how time can be spoken of as the sire of the Supreme, or why there should be a quarrel between them. To this it may be fairly replied that the name does not necessarily carry with it any notion of paternity; and a stronger objection than those which he has urged might be founded on Professor *Max Müller's* admission that *Kronion* was an epithet of precisely the same kind as *Hyperion* when used as a name for the sun. Why, he asks, is Zeus so called? and the answer is "because he is the son, the offspring of a more ancient god, *Kronos*." But it is significant that no father *Hyperos* sprang from the epithet *Hyperion*; and hence this origin for Zeus becomes at the least doubtful, although the Hesiodic stories about *Kronos* became in Aryan hands so thoroughly connected with time as the devourer of the days which he produces, that at last in the German tale his progeny are converted into seven little kids, the youngest of whom is preserved from the wolf by being hidden in the clock-case. This, however, leaves the question of the name *Kronos* just where it was; and Mr. Brown closes the debate by regarding it as the equivalent of *Kronos*, *Kronaios*, *Karnaim*, the horned god. It can scarcely be denied that the name and the worship of *Kronos* are specially connected with *Crete*, although in that island he had rather the character of the Latin *Saturnus*, the god who brings the seed corn to ripeness, than that of the grim demon who consumes his own offspring. Nor can it be forgotten that *Dionysos* appears both in a gentle and in a fierce aspect; and thus Mr. Brown has at least some colour for his conclusion that "the wily savage *Kronos*, who devours his children, is the raw-flesh-eating *Dionysos*, the monstrous Semitic bull god" (p. 128). When, in like manner, he seems to adopt the remark of *Dionysius*, that the Greek *Seirios*, as an epithet of *Dionysos*, is nothing more than a transliteration of the Egyptian *Osiris*, we can but leave the question open, with the reservation that the name *Seirios* itself is manifestly Aryan, answering to that of the Vedic sun-god *Surya*. What, then, is the name *Dionysos* itself? Mr. Brown admits without hesitation that the Greeks regarded it as genuinely Greek, and as denoting simply Zeus *Nysaios*, the god of *Nysa*. But in Greek "*Nysa* is the post on a racecourse, the turning point, and so becomes equivalent to *Kampter*, which is a bend, and hence the turning point

on a racecourse." *Kampe*, according to *Diodorus*, was the name of a monster slain by *Dionysos*; and the dragon so slain is "the vast serpent belted around the world, which he overtakes and slays, i.e. destroys the consumed time, as *Chronos* devours his children." But, genuine Greek though these words may be, Mr. Brown, who regards the derivation as not less erroneous than that which the bard of the *Odyssey* assigns to the name of his much-suffering hero, or by which *Sophocles* explains the name of *Œdipus*, accepts the conclusion of Mr. Fox Talbot, that the Hellenic *Dionysos* is really the sun, who appears in Assyrian theology as *Daian-nisi* or *Dian-nisi*, the judge of men (p. 210). The name would thus correspond to that of the Egyptian *Rhot-amenti*, the judge of the unseen world, who reappears in the Greek *Rhadamanthos* as the colleague of *Minos* and *Æacus*. If it be so, *Dionysos* must, like *Kronos*, be surrendered as coming from a Semitic source. But there is a strange *Nemesis* on those who may think that the rending away of names supposed to be Greek weakens the groundwork of the theory which sees in the great mass of mythology the thoughts of men on the phenomena of the outward world and the course of the seasons and the year. If any are disposed on this score to exult over Professor *Max Müller*, they are met by the trenchant words of Mr. Sayce, that "the more the Babylonian mythology is examined, the more solar is its origin found to be," and that, except *Anu* and *Hea*, "the great deities seem all to go back to the sun."

There remains the weird array of *Kouretes*, *Korybantēs*, *Telchines*, *Idaia Dactyls*, *Kabeiroi*, and some others; and all who have worked in the wide field of Aryan mythology will perhaps allow that, do what they will, they cannot feel themselves at home in this strange company. By an ingenious handling of the words it may be possible to produce plausible Greek derivations for names like *Kekrops* and *Erechtheus*; and the *Telchines* may be described as beings who cherish (*θεῖναι*) the earth, or the *Kouretes* as the band of youthful (*κοῦροι*) dancers who move round the cradle of the infant Zeus. But these efforts are awkward; and little regret may be felt if we find ourselves compelled to resign them as of alien growth. Still there is one condition with which we cannot dispense. In speaking of Mr. Brown's first volume, we remarked that the alleged inadequacy of a Greek derivation is no sufficient reason for setting the word down as Semitic, unless its Semitic equivalent is actually produced. Keeping to this rule, we need hesitate little in surrendering the *Kabeiroi*, as representing simply the Hebrew *Gibbor*, the mighty ones. In so doing, we are only going back to the explanation of *Casaubon*, who traced the word to the Semitic *Kabir*, powerful; but, if this be granted, there is room at least for the notion that the kindred beings who bear names not more easily explicable from Greek or Aryan sources have likewise a Semitic origin. We are less confident when in the same fashion we are asked to give up the name of the mighty hunter *Orion*; nor are we altogether reassured by being told that the name of the seventh Chaldean king was *Ur-hammu*, the light of the sun, and that from *ur*, light, is derived the Assyrian *uri*, light and day, the Hebrew, *aur*. We may conceivably have here one of the roots which some regard as identical in both Aryan and Semitic speech; but not the less we have an undoubtedly Aryan root in the Latin *uro*, *urum*, *Aurora*, in the Sanskrit *Ushas* and *Urvasi*, and the Greek *Eos*. Nor are our suspicions removed when we are told that *Hephaistos* is not less a Semitic divinity than the *Kabeiroi*. Mr. Brown's objections to the Aryan origin of *Hephaistos* seem to rest mainly on the difficulty of accounting on any Aryan hypothesis for the deformity of the god. He demurs to seeing in him the fire "like *Agni*, dark and stunted in its first beginnings," as fire under any circumstances cannot be dark. Yet we speak of the fire smouldering, and the Vedic hymns describe *Agni* truthfully enough as blackbacked and with many limbs which are curiously twisted. In fact, for the Hindu as for the Greek the fire-god was *καλλο-ποδιών*. Here, however, as elsewhere, we are open to conviction; but Mr. Brown has produced no Semitic word as the equivalent or rather the parent of *Hephaistos*, while Professor *Max Müller* asserts confidently the identity of the Greek name with the Sanskrit *Yavishtha*, the youngest of the gods, endowed with perpetual youth. *Helios*, again, is, according to Mr. Brown, a Semitic deity; but, for the reason already given, we cannot regard his name as anything but Aryan. Nor can we look on his remarks about *Aphrodite*, who with him is also Semitic, as especially forcible. The objection as applied to the myth of *Anadyomene*, that she comes from beyond the sea, not out of it, is hypercritical; and he is strangely mistaken in asserting that "Professor *Max Müller* connects the name *Aphrodite* with the Sanskrit *Duhita-divah*, a name of the Dawn." We should scarcely have caught Mr. Brown's meaning had he not added that "the resemblance is a somewhat faint one." It would have been more true to say that there is absolutely no resemblance whatever; but in the passage of the *Lectures on Language* to which Mr. Brown refers Professor *Max Müller* is speaking not of any philological connexion between the names, but simply of the process which came to exhibit the dawn as the sea-born goddess.

Still, in spite of all abatements that may be made, Mr. Brown has, it must be conceded, fully established his main point. He has shown that some, perhaps many, names in Greek mythology are undoubtedly not Greek, and are almost certainly Semitic, and that the conceptions attached to these names, as well as the ritual connected with them, are Semitic also. We are only disposed to regret that with the solid work thus done he should have mingled some rather perilous speculations as to the original cha-

racter of religion, and thus introduced sources of difference between himself and others who may after all be in substantial agreement with him. We admit gladly that he has done enough to win for himself a wide and permanent reputation, and to make us look forward with interest to his third and concluding volume.

GAYA AND THE OPIUM DISTRICTS.*

THE interest which a pious Hindu feels for the district which gives a title to the Province of Behar might be said to correspond to that taken by an orthodox English official in the cultivation of the poppy and the manufacture of opium. Before giving any account of the town of Gayâji, as the Hindus affectionately term it, we shall explain some of the details of that monopoly which some Englishmen consider the mainstay of the Indian revenue, and others look on with horror as a disgrace to the British name. Every one has heard how a large portion of the Indian revenue is paid by the Chinese, but few are aware of the exact mode by which a vast acreage is reserved for the cultivation of the poppy in the provinces of Benares and Behar. There are two Agencies established for the manufacture of opium. One is known as the Benares Agency, with its head station at Ghazepore. The other and the more extensive, for the province of Behar, has its headquarters at Patna. The whole process of cultivation is arranged for between the independent cultivators and the officials of Government. It must not be imagined that Government manages large farms or leases extensive tracts of land for this object. The poppy seed is sown, the plant cultivated, and the juice extracted by agriculturists, who receive advances for this purpose, and who agree to deliver the produce at the Government factory. No one can grow the plant on his own account, and in these fine provinces no such thing as a private opium factory exists. Mr. Hunter has collected, according to his custom, full and accurate details about the growth of the poppy, the extraction of the juice, and its delivery and treatment at the factories. But there are one or two features which he has not noticed, possibly with the laudable object of eliminating all controversial matter. Some years ago comparisons were unavoidably suggested between the cultivation of the poppy by Government and the cultivation of indigo by individuals or companies. In both cases Ryots were persuaded to grow on their own lands a valuable kind of produce, and to deliver it to a factory, where their share in the business ended. These transactions were characterized by a certain similarity of feature. Men of some substance were selected and invited to contract. The cultivation required a fruitful and unexhausted soil. Advances were given at the commencement of the season to be cleared off at its close. A certain amount of supervision was exercised by the agents of the planter and of the Government over the contracting and toiling agriculturist, to prevent failure and fraud. With some slight changes, a few acres abandoned in one place and a few additional lands taken up in another, both sorts of cultivation went on for generations in the same provinces, and sometimes in the same districts; and a special celebrity was attached to cakes of indigo or of opium produced by skilful hands in factories or storehouses throughout all Behar.

But here the parallel ended. Nothing like agrarian outrage, as it is termed, characterized the cultivation of the poppy, while indigo formed a constant source of irritation, discontent, and disturbance. Government at any time could have doubled the acreage of its poppy cultivation. Indigo planters had to resort to divers expedients in order to hold their own. It is true that the poppy plant was what is termed "a cold-weather crop," and was spread over five or six months between October and March; while the most valuable portion of indigo could not be sown before the beginning of the hot weather, and had to be cut at the commencement of the rains. But this fact will not account for the differences in the systems. With the poppy everything was characterized by order and method; by willingness on the part of the contracting agriculturist, and by a perfect adjustment of accounts at the close of the season on the part of the Government. Indigo, when a searching inquiry became imperative, disclosed nothing but want of equity in the contract and want of method in the annual settlement; the urgency of the planter met by the fraud and subterfuge of the ryot. The real explanation of such a contrast between two systems which started from the same basis we take to be this. The Indian Government can beat any association or individual hollow whenever it undertakes to perform any of those civilizing operations which in other countries are usually left to private enterprise. Government has boundless means and a trustworthy and disciplined agency at its command. When it chooses to advance money handsomely, it can reckon with safety on its returns. It will insist on a rigid and impartial adjustment of balances and accounts. It is tolerably prompt to correct abuses, and to remove causes of complaint. It must be just, and it can afford to be generous. With the energetic and independent planter things are different. Though animated by good intentions and even kindly feelings to the native population, his resources are fewer. Very often he may have to work on capital borrowed at a high interest. His necessities are pressing. His agents are of all kinds—good, indifferent, and radically bad. He is often unchecked

by that public opinion which ought to take the place of official control. The consequence is that twice in the last twenty years the Government has been forced to interfere, like a Court of Equity, on behalf of the weaker of two contracting parties, and it has told independent Englishmen in plain language that their commercial speculations in the interior of the country must be prosecuted without risk of hurrying the native population into some frantic outburst of violence, or of keeping it in a state of serfdom incompatible with the avowed objects of our very presence in India.

Experts tell us that of three varieties of the poppy, the white, the red, and the purple, the former, though yielding the least opium, is known to best suit the climate and soil of Benares and Behar. The purple kind flourishes luxuriantly in Malwa, and is said to yield three times as much morphia as the white. The morphia from the red holds a middle place between the two others. Land can be taken anywhere for this cultivation, but the neighbourhood of a village is most preferred on account of facilities for irrigation and manure. Where the soil is rich, it can stand an extra crop of Indian corn or vegetables during the rains. Under any circumstances the ground must be thoroughly worked and cleaned before the end of October. The seed is sown broadcast in November, and unless rains fall in the winter, irrigation must be resorted to five or six times; thinning and weeding go on in December and January; but the plant is liable to injury from unusual heat, cloudy skies, strong winds, deficient moisture, or what in Behar may pass for frost. Some time in February the plant is three or four feet in height and in full flower, and it then rejoices the cultivators by capsules, which are, so Mr. Hunter says, about the size of a duck's egg. Then comes the process of collecting the leaves of the petals before they fall, of piercing the capsules with a sharp iron weapon, from two to six times, of collecting the exuding juice, of separating the drug itself from a dark unpleasant fluid called *pussewa*, and of conveying it to the local factory, whence it is forwarded to the central Agencies at Patna or Ghazipore. Scrupulous care is taken to record the weight and quality of each delivery, and eventually to see that every cultivator is properly paid. The return per *beega*—a local measurement rather below our acre—has been estimated at from one rupee to fifty rupees. But without going deeply into statistics which vary in each district, it may safely be asserted that with the Behar peasant, the contract is entered into willingly, the cultivation is neither irksome nor harassing, and the result is pecuniary gain.

The manufactured opium is put to a variety of processes and tests at the central factory, which accounts for its high estimation in the market of Canton. It is carefully weighed and analysed. Agriculturists are not novices in adulteration, and the Government examiners have constantly to assign to the produce a lower schedule, or even to condemn it altogether, for an admixture of mud, sand, powdered charcoal, soot, cow-dung, pounded petals and seeds, and other abominations. The drug must then be kept in wooden boxes, and afterwards be kneaded and mixed in vats by natives who wade knee-deep through the dark-coloured mass, and who in a short time become proof against the sleepiness which the fumes tend to produce. After this it is made into cakes, which are enclosed in the leaves of the plant, and when dried and pronounced free from damp or mildew are sent down to Calcutta. The manufacture is generally over by July. It has been estimated that an ordinary workman will turn out 70 cakes, and an experienced man 90 or 100 in the day. As many as 7,000 have been made during twelve hours, and more than 400,000 in one season at Patna alone. The dark fluid termed *pussewa*, we may observe, is not thrown away, but is dried and put to various uses in packing the cakes. That the manufacture of opium, while beneficial to the cultivators, forms a material portion of the Indian revenue, is a point beyond controversy. We have no intention of discussing the morality of the traffic or comparing the ruinous effects of eating opium in China and of drinking alcohol in London. But it is tolerably clear that, if the Indian Government were to abandon its monopoly of the drug and allow it to be manufactured by private Companies, like indigo, sugar, cotton, hemp, or any other indigenous products, the morality of the question would hardly be affected. Half-a-dozen factories would be established in the place of one. Ryots would be exposed to a repetition of the incidents hitherto inseparable from indigo. Opium, instead of retaining its high character for purity in the Chinese markets, would be subjected to as much adulteration as cotton. The Government would be forced to put a high duty on every chest of opium exported from Calcutta, just as it does now on what is produced in Malwa and sent to Bombay. It would still be liable to the charge of drawing a large revenue from the manufacture of a deleterious compound intended to impair the health and stupify the intellect of a foreign population; and, according to a well-known legal maxim, it would be doing *per alium* what it no longer had the openness to do *per se*. In all human probability the opium revenue will be affected by the development of the poppy cultivation, which our own agents and recent travellers assure us to be on the increase in several provinces of China. The question may fairly be left to solve itself.

From the factories of Gaya and the neighbouring districts we turn to its pilgrims and shrines. No very great sanctity was attached to the persons of Mahants or Gayawals till about six hundred years ago. But in Hindu estimation Gaya now holds a place inferior only to Jagannath and Benares. Mr. Hunter, or his coadjutor Mr. Allen, in a few pages, gives us a condensed account

* A Statistical Account of Bengal. By W. W. Hunter, B.A., LL.D., Director-General of Statistics to the Government of India, &c. &c. Vols. XI., XII., XVI. London: Trübner & Co.

of the ceremonies undergone by a pilgrim at this holy place, and we cannot do better than make the following extract:—

A pilgrim to Gaya sets out for the purpose of freeing his deceased relatives from purgatory and procuring their admission to heaven. Before starting he shaves his head and face, makes presents to the Brahmans, and then walks round his village five times, calling on the souls of his relatives to accompany him to Gaya. Upon reaching that place he puts himself in communication with one of the Gayawals, who appoints a Brahman to accompany him through the orthodox course of his devotions. There are four classes of pilgrims; one class visits only one sacred spot, another visits two, a third class goes to thirty-eight, and the fourth to the full number of forty-five. These sacred spots, which are called *bedi* or *tirath*, must be visited in the proper order and on particular days.

This is followed by an enumeration of visits to the river-bed, to temples on hills, to tanks and fig-trees, to sacred wells and to black stones, to square buildings and colonnades, at all of which the pilgrim suffers in pocket, though not to a serious amount. A poor man might get off for 2*l.* or 3*l.*; but the liberality of the wealthy is not limited, and the grandfather of Nana Sahib is said to have spent 10,000*l.* at one visit. Gaya itself is not very happily situated. It lies at a distance from the Ganges and the rail, some sixty miles from Patna, and about twenty miles from the old Grand Trunk Road to Benares. In the hot season it is swept for weeks by a furnace blast, and the radiation from the rocks and hills in the neighbourhood of the city raises the thermometer almost to the temperature of Agra or Benares. A proposal for a light railway to Patna is, like many other improvements, still waiting for funds. There are many other topics which Mr. Hunter's researches illustrate, and we should have been glad of some space for the elevated regions about Hazaribagh, which have reminded travellers of the Jura Mountains. Conspicuous here is the singular hill known as Parisnath, which towers to the height of 4,483 feet over other hills, few of which attain an elevation of 2,000 feet. At first sight it might seem that nothing could be more favourable as a sanatorium for Bengal than a hill now brought within twenty-four hours of Calcutta, by railway and a first-class high road. But the practical difficulties in the way are great. The space available for building at the summit is limited, and no point but the summit will answer. A considerable portion of the hill is occupied by Jain temples, and frequented by pilgrims of that sect. Water is to be had, but not in great abundance, and the peak of Parisnath, with no other range of equal height near it, furnishes a powerful attraction for mist, rain, and forked lightning. Moreover these isolated hills lead nowhere. A traveller who rushes up to Darjeeling, Mussoorie, or Simla, when tired of the "Mall," has before him a trip to Sikkim or Kashmir. But when, after considerable toil, and it may be some danger from tigers, you have ascended such places as Mount Abo or Parisnath, there is nothing for it but to come down when you have seen all that is noteworthy on the peak or the plateau. And after the first feeling of novelty, and when you are still thankful to have lowered your thermometer by some twelve degrees, it is not reassuring to think that the roof which covers you, the chairs on which you sit, and every morsel of food you eat, have all been dragged up, at no inconsiderable expense, from the hot plains below. The new railway to Darjeeling will probably provide an ample sanatorium for all Bengal and Behar, and Parisnath can be left, as heretofore, to the tigers and the Jains.

With this paper we must close for the present our notice of Mr. Hunter's work. We are glad to admit that repeated references to his twenty volumes have confirmed our first impressions as to their substantial merits. We have thought it unnecessary to draw attention to misprints and trivial errors in names and other slight blemishes which the editor has taken means to correct. We have to complain perhaps more of omissions than insertions. A clear exposition of the main features of the Bengal revenue system would have given point and force to long strings of sub-tenures and infundations, and we want some explanation about the vernacular dialects and their variations. But the structure of the work could scarcely have been improved. Each volume is built up on the exact lines of its predecessor. There is a separate index to each volume and a general index to the whole. With a moderate amount of pains spent in mastering any one district, the reader can find what he is anxious to know about a dozen others. Topography, ethnology, agriculture, history, climate, and meteorology are treated of in the same lucid sequence. The statistics would satisfy a Parliamentary Committee, and the Hindu legends need not repel a genuine Pundit. And if the casual reader, who is neither a red-tapist nor a scholar, may be appalled by lists of fishes, by endless varieties of rice, by the number of prisoners that have been released, transferred, or executed, or by such petty details as the attendance of scholars at a day school, he may turn to pages descriptive of our early administration or of the traditions of wild aborigines, with the certainty that he will find information accessible to him from no other quarter, set off, in most cases, with no inconsiderable literary grace.

THE EXCHEQUER ROLLS OF SCOTLAND.*

THE work of publishing the important documents so long buried from the public in the Register House at Edinburgh, though long delayed, is now being pushed forward with vigour. Only a

* *The Exchequer Rolls of Scotland*. Vol. I. Edited by the late John Stuart, LL.D., and George Burnett, Lyon King of Arms, H.M. General Register House, Edinburgh. 1878.

year ago we noticed the first volume of the "Accounts of the High Treasurer," and now we have the first instalment of the Exchequer Rolls. The nature of the accounts entered on these rolls varies little from those of the High Treasurer, but they are of much earlier date, the office of Treasurer not having been known in Scotland until it was introduced by James I. Before his reign the collection and disbursement of the Royal revenue was entrusted to the Great Chamberlain, whose name as one of the officers of the Crown is first found in the reign of David I. In his preface Mr. Burnett explains the nature of the Lord Chamberlain's office, which made him a very important person in the State. The Royal revenue was drawn from the rents of the Crown lands, the feudal dues payable by the Crown vassals, fines and escheats, the burghal fermes, and the great customs. Money was only raised by taxation when required in some great national emergency. From these various sources the income of the Crown was collected by the sheriffs, the provosts of the burghs, and the customars, and they had to account for it to the Chamberlain. But as they were paymasters as well as collectors, but little of the actual money ever reached his hands. Out of the revenue he had to defray the expenses of the King's household and all the other branches of the public expenditure. He had also jurisdiction over the burghs, and was expected to regulate their trade and ensure that they were properly governed. The accounts of the Great Chamberlain and of his deputies were audited in the Exchequer at irregular intervals, and they were then engrossed on parchment for preservation. These are the Exchequer Rolls which we have now an opportunity of examining, and thus arriving at an accurate knowledge of the amount of money which yearly found its way into the treasury of the King of Scots, and the way in which he spent it. Apart from the interest the entries in the accounts must have for the student of history, they contain much curious matter which may well claim the notice of any intelligent reader, as it sets before him in a way that cannot be gainsaid the extent and progress of commerce and civilization, and the social state of the people, during a period of which almost all the historic records have disappeared. And surely a faint flavour of the fascination attached to gossip about the private doings of our own Royal Family gives a relish to the peep into the private chambers of their grandfathers, a score of degrees removed, to be gained by looking through the pages of these curious old accounts. We there find that, instead of polo or pigeon-shooting, Alexander III. amused himself with hawking and hunting; and that the better to enjoy this favourite diversion he made new parks round his castles, the expense of the palings whereof, as well as sundry charges for "feeding of does in winter," and payments to a fox-hunter for destroying vermin, and to a keeper for looking after the rabbit-warren, were all duly entered at the Exchequer. And who that has ever read the lion-like exploits of the Bruce can fail to feel interested in hearing that in after days when his kingdom was assured to him, he delighted much in a tame lion, and took it about from place to place, and that its food yearly cost 6*l.* 13*s.* 4*d.*? We cannot but wish to know whether the man who as an outlawed wanderer had learnt a valuable lesson from watching the toil of a spider found as much instruction from studying the habits of this larger pet. The burgh of Perth had to pay the wages of this favourite's keeper, and to pay for the hire of a house for him. In the matter of lodging the lion seems to have been better put up than his betters in having a house all to himself, for in striking illustration of the scanty accommodation of the palaces of those times we find that the Queen and her two sisters had but one bed-room amongst them. There is no limit to the information as to the eatables and drinkables supplied for the table of the kings and queens. Eels must have been a very favourite dainty and were consumed in incredible quantities. From the lake of Cluny alone in Alexander's days there were taken seven hundred eels for the King's use and nine score for the Queen's. On another occasion we find the Bishop of St. Andrew's sending a present of six thousand eels to the King, and eels by the thousand were a favourite and acceptable offering. If one may judge from the enormous quantity consumed, it seems more than probable that the several heroes of song who were said to be poisoned by adders under the guise of "eels boiled in brew" really died of over-eating themselves on *bonâ fide* eels.

The rolls here published are of two kinds; the one, the oldest original roll in the Exchequer, dating from 1326; the other two fragmentary parts of an earlier roll, the original of which is lost, but which have been preserved in a very careful copy made by the first Earl of Haddington in the seventeenth century. The very early date of these fragments makes them specially valuable to the antiquary. The one extends from 1262 to 1266, the other from 1288 to 1290. Thus it comes that the accounts given us in this volume, which closes with the year 1359, extend from the reign of Alexander III. to the captivity of David II., and cover the period occupied in resisting the encroachments of Edward and the great struggle for national life. During that struggle the account-books are closed, but they enter very fully into the details of the reign of Robert Bruce and his successor. It would be impossible to find two periods in the whole history of Scotland that would contrast more strikingly than the time when the accounts in this volume begin and the time when they close. On the one hand we see the kingdom well cultivated, well ruled, enjoying the blessings of a long peace, and the settled administration of a wise and popular King; on the other hand, we find her after the lapse of three-quarters of a century sadly diminished in material prosperity and impoverished by a long war, rent by the feuds of those

very nobles who had preserved her life, with a young King more a shadow than a power in the State, and now actually a prisoner in a foreign land, while no one knows how the money for his ransom is to be scraped together. And it says little for the administration of justice that, while evil-doers were rife, one element of the Royal revenue—to wit, the fines to be imposed for evil deeds—was found altogether wanting.

The statistics to be gathered from the accounts of Alexander's reign prove beyond a doubt that the high state of prosperity ascribed to the country in the well-known verse of the old ballad preserved by Wyntoun was no idle dream of the poet. The quantity of grain grown shows that the land was well cultivated, and the Court and nobles lived so luxuriously that the people could not have fared badly. Besides the twenty-three great castles afterwards placed in the hands of Edward the King must have owned houses and estates all over the Lowlands. And the accounts for the expenses of his household show that he and his Court moved frequently from one to another. It must be borne in mind that as yet Edinburgh made no pretension to the honours of a capital city. Stirling and Forfar Castles were the favourite resorts of Alexander. In the summer of 1263 he and his Queen held their Court at Forfar for twenty-nine weeks, and the notices of the supplies provided for their consumption prove that there was no lack of good cheer both for man and beast:—

The supplies consumed during that sojourn included forty-eight beeves, twenty-five swine from the adjacent forest, thirty sheep brought from Barry, and forty from the Grange of Strathylif (now Glenisla), sixty stone of cheese, three hundred and eleven fowls, 17 chalders 1½ bolls of malt, 3 chalders 2 bolls of barley, and 38 chalders 8 bolls of fodder; and there was also a special provision of barley and fodder, though not of malt, for the Queen's use. The lake of Cluny, which, in common with other lakes and ponds attached to royal residences, produced multitudes of eels, was made to yield seven hundred for the King's use, and ninescore for the Queen's.

Ale was the national drink at this time, and must have been largely consumed by men, women, and children. In one of the sheriffs' accounts, 4½ bolls of malt are entered as supplied for the use of the Prince of Scotland in the space of one year and a half, though the poor child's age was only two years. The swine that grazed in herds in the royal forests afforded the animal food of the common people, so that the prejudice against pork so general in Scotland must have sprung up at a later date. A sow at this time cost eightpence, while a sheep was only worth a shilling, a gosling twopence-halfpenny, and a hen a penny. What the domestic architecture of Scotland at that time was like we have no means of finding out; but, when any of the King's houses were added to or repaired, the sums paid for timber, planking, and roofing, and carpenters' wages are entered; but, as there is no mention of stones or masons, the omission goes far to prove that wood was still the material most in use in building. That they were surrounded by gardens and parks is proved beyond a doubt by the entries of wages paid to the gardeners and for repairing of fences. It is interesting to find even the "gamyn and glee" of the old song confirmed by an item of 16l. 2s. 9d. for the King's expenses at play, a sum equivalent to the price of fifty horses. After such a picture of the prosperity produced by a long peace and strong government, it is sad to find that immediately after the King's death civil war broke out, stirred up by Robert Bruce, Earl of Carrick, the grandfather of the national hero, and that the sheriffs of Dumfries and Wigtown had to report lands as having been wasted and lain two years uncultivated in consequence thereof.

There is a blank in the rolls from the death of Alexander until the end of the reign of Robert Bruce. During that troubled period of eighteen years of war, Scotland had gone backwards in material prosperity and civilization; and, though by a great effort her existence as a nation had been secured, the power of the nobles had been so greatly increased that the commons were less independent than they were at the beginning of the struggle. In the dark age of feudal tyranny which follows, the monasteries and the burghs alone keep alive the consciousness of other forces in the world than those of tyranny and terror. The burghs had been advancing in importance all through the twelfth and thirteenth centuries. There seems to have been a league among them similar to that of the Continental Hans Towns. Their "Free Hanse" had been confirmed in the time of William the Lion. They had their own code of burghal laws and their own Council, called the "Court of the Four Burghs"—the four burghs there represented being Berwick, Roxburgh, Edinburgh, and Stirling. The first time that these representatives sat in the great Council of the Nation was at the Parliament of Cambuskenneth in 1326. It is in this year that the Exchequer Roll, of which the original is preserved, begins. But there was not the violent enmity between the baronage and the burghers in Scotland which we find in other countries. In this, as in so many other points of her history, Scotland stands alone. A duke or an earl who sets up his sons in trade is only following the national custom. In very early times it was by no means uncommon for the younger sons of lairds to become merchants without thinking that they thereby forfeited any of the privileges of their class. The burghal accounts are a very important class of the Exchequer Rolls. They are of two kinds—those of the provosts, bailies, or farmers of the burghs, and those of the customars. The yearly rents originally paid by each burgher to the Crown were now farmed to the provosts, who, in consideration thereof, paid a certain sum annually. The receipts of the forests, rabbit-warrens, and fisheries were generally included in the rents farmed by the provosts. The accounts of the supplies

furnished to the Royal household give some curious information as to the special articles of produce or commerce of the several towns. "Thus Ayr habitually supplied herrings and haddocks, Forfar eels, Crail rabbits from the Isle of Man, with herrings and porpoises, and Perth salmon, as well as foreign cloth, furs, spices, and confections." The customars were officers appointed to collect the King's great customs, and the petty customs were levied by the provosts along with the burgh rents. Free-trade in imports was the rule in Scotland up to the close of the sixteenth century, and a note of the editor draws attention to an Act of 1597, in the preamble to which the King of Scots declares his intention of following the example of other sovereigns and levying an import duty. The Great Custom was levied on exports of wool, woolfells, and hides, and the customars had to render an account of the quantity of these exported, the number of vessels in which they had been shipped, and the amount of duty paid. No merchandise liable to this duty could be shipped without a "cocket" or certificate that it had paid the great custom. Every burgh had its cocket seal and clerk of the cocket, and the grant of a cocket made one of the powers of regality that were entrusted to divers lords, both lay and spiritual. The accounts for the wedding expenses of Robert Bruce's son David are very circumstantial, as are those which shortly follow them for the King's funeral. From these we learn that the marble monument made in Paris, which was put up over the Bruce's tomb, was commissioned during his lifetime. After Bruce's death a civil war stirred up by the English began, and the country was soon in as poor a plight as it had been during the War of Independence, and the accounts of this period that have been preserved are very fragmentary. The young King and Queen were sent to France to be out of the way of danger, and lodged by the French King in Château Gaillard. There they remained seven years; and though Froissart declares that they lived at the expense of their entertainer, the accounts of supplies sent them from their own country contradict this, and are on a very liberal scale when the distracted and devastated state of Scotland is taken into account. The extent of the damage done to the country during these ten years was very great. In 1331 the balance received by the Chamberlain from the sheriffs, provosts, and customars was 3,774l. 3s. 9½d.; in 1342 it was not a third of that sum, being only 1,198l. 9s. 4½d. The claims for abatement of rent from the burghs on the plea of wasting and burning are many. In this same year all that could be got out of Perth for the Martinmas term was 36s. 5d. from the burgh tenants, 40s. from the mill, and 482 salmon from the fishings; while before the war it had paid 160l. yearly.

Like a skilful feuilletoniste the editor closes this, the first part of his work, at a moment of great interest. For the ways and means that were found for raising the King's ransom we are referred to the next part. There is another bait hung out to whet the reader's anxiety for the appearance of the second volume. This is the expectation of a list of the Chamberlains from the institution of the office, as complete as the materials furnished by authentic documents will allow of its being made, which is promised in a foot-note to the preface. The preface itself, from the pen of Mr. Burnett, is excellent in every respect. Mr. Burnett not only draws attention to the chief points of interest in the accounts, but has also succeeded in explaining with great clearness and simplicity the intricate fiscal system of Scotland. The name of the lamented Dr. Stuart, which appears side by side with Mr. Burnett's on the title-page, cannot be passed by without an expression of deep regret that his learned fellow-worker has not been spared to assist in completing a work which is admirably begun.

THE GAMEKEEPER AT HOME.*

THE *Gamekeeper at Home* is the reprint of a series of sketches of rural life and natural history which appeared originally in the *Pall Mall Gazette*; and we have seldom met with a collection of the kind which seemed better worth preserving. We do not need the author's assurance that his facts have been gathered from personal observation. This is so obvious in every page that, excepting the *Natural History of Selborne*, we remember nothing that has impressed us so certainly with the conviction of a minute and vivid exactness. The author has been bred and brought up in the country. As a boy, we can imagine him the counterpart of Master Martin, the memorable "old madman" of *Tom Brown's School-days*; although he must have escaped that young enthusiast's more objectionable eccentricities. We can see him following at the heels of keepers, making friends with ratcatchers, rabbiters, mole-trappers, *et id genus omne*; poking about the enclosures of woodland farms, and trespassing in plantations at the peril of his neck, especially in the bird-nesting season. As he grew in years, these tastes must have grown stronger, with the increasing avidity of knowledge that stimulated his inquisitiveness. The unobservant inhabitant of the country who seldom uses his eyes, and still more the casual cockney visitor, knows little or nothing of its manifold charms. He is struck with a pleasing view, he enjoys the song of the birds, and, as he admires the flickering play of the light on the foliage, is dimly conscious of the awakening of latent susceptibilities. In wet weather or in the depth of the winter he finds the country as dull as the gloom is depressing. It is very different with the man who loves nature for nature's sake, as does the writer of these delightful sketches. To him all seasons are full of interest,

* *The Gamekeeper at Home*; or, *Sketches of Natural History and Rural Life*. London: Smith, Elder, & Co. 1878.

although he may prefer the long bright days, the balmy air, and the sunshine. His faculties are always so keenly on the stretch, that he forgets or ignores material disagreeables. He is watching the flight of birds or establishing their identity by their notes. He carefully marks the dates of their arrival or departure. He is curious in the botany of the fields and the hedgerows; insects in their way have just as much interest for him as the higher types of animal existence; as he walks he is instinctively examining the ground, looking out for "sign" with the sharpness of an Indian. The more he has learned, the more he longs to learn; there are innumerable puzzles he is eager to solve, and the solution can only be arrived at by an indefatigable collection of facts. Enthusiasm, patience, and a fellow-feeling with the beasts are the indispensable qualities of the field naturalist, and nothing is too insignificant for him to notice. Except for an occasional date, he scarcely needs a note-book. The things that address themselves so directly to his sympathies tend to impress themselves indelibly on his memory. Whether he is chatting or writing on his favourite subjects, one point naturally suggests another, so that the simpler threads of his ideas are apt to get entangled in his associations. This indeed is the chief and almost the only fault we can find in this singularly fascinating volume. The author is tempted into digressions; he wastes most interesting matter by gratuitously condensing it, occasionally dismissing with a passing allusion a theme which might have been expanded into a chapter. After all, these are errors that can be easily repaired. The writer has only to go over the ground again, reaping or gleanings after himself; and perhaps a gossip and somewhat desultory style is the best suited to his favourite subjects. For the naturalist's walk is a time of expectation that leads on to a series of sensations and surprises, and his plans for the day, as well as his pace, must be regulated by circumstances beyond his control. Like Martin Poyser's childrep following their parents to the church, he is always leaving the beaten track, and questing like a spaniel in the roots of the hedgerows.

The keeper comes in naturally as the central figure in these scenes of country life. His days, and often his nights, are passed in the solitudes of the woods; his professional quickness of observation develops with constant practice. He has to look after the game, to see to the feeding of the pheasants, and take a fatherly charge of the young and feeble in their helpless infancy. He has to guard against the wiles of the vermin, and lay himself out to circumvent them. Eye and ear are ever on the alert as he slips stealthily through the covers with his gun on his shoulder, ready to bring it to the present at a moment's notice. For unlike that of his master, who pays so dearly for his whistle, the keeper's sport lasts all the year round. Hawks, carrion crows, and magpies are never out of season, and, to our mind, there is at least as much excitement in shooting them as in a day of slaughter among the partridges in the stubble. And the keeper, in his own rough, half-unconscious way, becomes a keen admirer of nature. He learns to know and love the very trees, to regard them with a tenderness he hardly feels for his fellow-creatures. For the keeper, as the author of these sketches points out, is necessarily somewhat in the position of the descendants of Esau. After all, he is more or less of a spy; it is his business in protecting the game to keep watch on petty trespasses and depredations. So that, although the better class of farmers may respect him and give him a kindly welcome, the labourers are apt to regard him as an enemy. And they have some reason, though he may be merely doing his duty. For the author, who evidently knows labourers well, explains how the stolid, innocent-looking lout may be the most mischievous and systematic of poachers. He lounges idly along the foot-path where he has a right of way, keeping a bright look-out on the hare and rabbit runs. He may have his gun hidden in a handy heap of leaves near the spot where he goes about his daily labour. When he has watched the keeper well out of the way, he can set his snares or take a quiet shot; with ordinary precautions he need never be taken red-handed in the act, and can do his poaching on the sly with comparative impunity. Consequently the keeper, although he may be naturally good-natured, is disposed to deal summary justice to the culprits he does catch. He becomes rather free in the use of his stout ash-cudgel, and he has neighbours who owe him a grudge for the chastisement they have thoroughly deserved. If villagers of loose habits were more given to reading, the keeper would have little cause to be grateful to the author of these exceedingly lifelike sketches. There is a chapter which might have a great circulation were it published separately, under the title of the "Poacher's Best Companion," so wonderfully minute is the insight it gives into the tricks of the poacher's craft. He is told where he had best choose his quarters—"in a village at the edge of a range of downs, fringed with large woods at the lower slopes." There he can work the ground according to the weather and the changes of the moon. He is advised, to the fraction of an inch, how to adjust his snares in the most deadly fashion, and we may quote the following as a specimen of the writer's practical wisdom:—

Experience is required to set the trap at the right height above the ground. It is measured by placing the clenched fist on the earth, and then putting the extended thumb of the other open hand upon it, stretching it out as in the action of spanning, when the tip of the little finger gives the right height for the lower bend of the trap—that is, as a rule; but clever poachers vary it slightly to suit the conformation of the ground.

We do not fancy that the rural ne'er-do-wells are likely to come across *The Gamekeeper at Home*, nor will it probably be taken in for their benefit at the bars of village pot-houses. But readers of a very different class cannot fail to appreciate the rare gifts of

sympathetic observation, whether the author is simply expatiating on the charms of nature or describing the habits of the wild creatures. Here we have him sitting, on a warm summer day, half-hidden in a great dry ditch, comfortably cushioned on the mossy roots of an oak tree. Each sentence enlightens us as to some curious fact, or suggests some pleasant theme for reflection. The ditch is being slowly filled up with the sand that is thrown out of the rabbit-burrows. The accumulations of last year's oak leaves steadily resist decay, while they taint and flavour the water that drains through them from the land-springs and flows down to the neighbouring cottages. He describes the tiny bit of natural shrubbery that forms the immediate foreground. He gives the very tints of the bark of the hazel stump; the variegation of the shades of the trailing ivy with the exact number of angles in its leaves. The rabbit-burrow opening near his ear acts as a kind of telephone to transmit and intensify the distant sounds. He lies and listens; he hears a faint rustle; the dead leaves in the ditch are heaving as if something was working underneath, and then a mole emerges and shakes himself, throwing the particles of dust from his skin with a shiver like that of a dog coming out of the water. While we are waiting, we have a parenthetical discussion as to the habits of moles. Another rustling, but this time it is mice:—

They have a nervous habit of progressing in short, sharp stages. They rush forward seven or eight inches with lightning-like celerity—a dim streak seems to pass before your eye; then they stop short a minute or two, and again make another dash. This renders it difficult to observe them, especially as a single brown leaf is sufficient to hide one. It is so silent that they grow bold, and play their antics freely, darting to and fro, round and under the stoles, chasing each other. Sometimes they climb the bushes, running along the upper surface of the boughs that chance to be nearly horizontal.

Another charming picture, taken in precisely identical circumstances, is that of the author's interview with a rabbit, when bunny, popping suddenly out of the mouth of the burrow, sits fascinated by the presence of the unexpected watcher. Then there is the delightful history of a hollow tree, and the description of the species of life that swarms in it. There are notes on the natural history of the fox and the badger, and of the many interesting animals that are classified by the keeper as vermin, whether they go upon legs or wings. We call attention to these notes as being specially picturesque, and they are illustrated, like everything else in the book, by the author's experiences; but indeed the lover of the country can hardly fail to be fascinated whenever he may happen to open the pages. It is a small volume, and not expensive; it is a book to be read and kept for reference, and should be on the shelves of every country gentleman's library.

SEBASTIAN ON TRADE-MARKS.*

WHEN a man calls his embrocation for horses' legs "Neurasthenhipposkelesterizo," or his patent medicine "Aleximorhygiastikon," or otherwise advertises goods in which he deals under strange titles recalling the marvellous compound words used by Aristophanes and solemnly translated in Liddell and Scott, it is but natural to suppose that he has some object in so doing beyond the desire to display his often inaccurate classical knowledge. Possibly such barbarous appellations attract and impress the vulgar on the principle "omne ignotum pro magnifico"; but a more legitimate reason for their use is, or rather was, to be found in the fact that, prior to the Act of 1875, to be mentioned presently, a name of this description constituted, under certain circumstances, a trade-mark, the exclusive right to which secured to the inventor considerable advantages in the sale of the article to which it was appropriated. As soon as any article of commerce obtains a reputation and a ready sale, a host of persons spring, as it were, from the earth, all anxious to divert from the original inventor to their own pockets a portion of the gains arising from his successful venture. To obviate this and secure his profits to himself is of course a primary object with the inventor. He may resort to the expedient of taking out a patent, or be able to rely on a copyright; but the former is an expensive process, and many articles are brought into the market which cannot be made the subject of either patent or copyright. Every one has a right to manufacture an article not protected by either of these means, if he can do so, and thus far the inventor is unable to guard himself against legitimate competition. Or, again, one particular manufacturer of a well-known article of commerce may, by reason of peculiar facilities or the exercise of special care and skill, have attained pre-eminent and recognized success in its production, and he, no less than the inventor, is entitled to secure to himself the fruits of his natural advantages or diligence. Here, however, there can be no ground for seeking the protection of either patent or copyright. But, in commerce at least, there is a good deal in a name; and whether it be that of an article itself or of the manufacturer of the article, or whether the function of a name as denoting a thing be performed by some equally distinctive mark, the public soon get to associate certain qualities and characteristics with the denomination or mark under which they have purchased goods which have turned out satisfactorily. Thus the persons who enter into competition with the original inventor, or who find the successful manufacturer distancing them in the market, are too apt to make up for their lack

* *The Law of Trade Marks and their Registration.* By Lewis Boyd Sebastian, B.C.L., M.A., &c. London: Stevens & Sons. 1878.

of invention or skill by endeavouring to palm off their own goods as being identical with, and not merely similar to, those which have acquired reputation by their novelty or quality. To prevent such subterfuges, which work a palpable wrong on the inventor or manufacturer, and also on the public—since, even if the latter obtain an article of equal quality to that which they suppose they are obtaining, they are still influenced by a misrepresentation—the law long ago recognized the principle that a man who denotes his manufactures by a distinguishing mark or name acquires, under certain conditions, an exclusive right to that mark or name against all the world, and is entitled to protection against the unauthorized use of it. This was apparently the starting point of the Law of Trade-Marks. The perverted ingenuity of unscrupulous rivals has always been assiduously applied to sailing as near the wind as possible, so as at the same time to delude the public and keep within the law, and thus a mass of case-law has gathered round the subject. The recent Trades Marks Registration Act of 1875 put the law on a somewhat new footing, and it has been just long enough in operation to enable Mr. Sebastian to treat of it effectively in his book, and illustrate its principles by some reported cases.

At the outset of his work Mr. Sebastian states the broad principle underlying the whole law of trade-marks in much the same terms that we have employed above—namely, that “a man is not to sell his own goods under the pretence that they are the goods of another man; he cannot be permitted to practise such a deception, nor to use the means which contribute to that end.” He then deals briefly with the various remedies afforded by the Courts in cases of infringement—the suit in Chancery for an account and injunction, the action at common law for damages (these two being now practically amalgamated), and lastly the criminal prosecution for obtaining money by false pretences, or under the especial provisions of the Merchandise Marks Act, 1862. It is a remarkable instance of the liberality of our legal system that the trade-marks of foreigners, and even of alien enemies, should be recognized in the English Courts, no less than those of British subjects. Mr. Sebastian’s second chapter deals with the question “What is a trade-mark?” and he quotes a recent decision of the present Master of the Rolls which supplies a very accurate and concise definition. The original idea of a trade-mark included any distinctive mark or device in any way affixed to the article sold, or any characteristic feature of the article itself; but the Act of 1875 has considerably narrowed the field from which such marks or devices may be selected, by only admitting to registration and its consequent advantages trade-marks falling within one of the following classes:—

A name of an individual or firm printed, impressed, or woven in some particular or distinctive manner; or

A written signature or copy of a written signature of an individual or firm; or

A distinctive device, mark, heading, label, or ticket. And there may be added to any one or more of the said particulars any letters, words, or figures, or combination of letters, words, or figures; also

Any special and distinctive word or words, or combination of figures and letters, used as a trade-mark before the passing of this Act.

Mr. Sebastian quotes this part of the Act at p. 17, and points out some of the advantages arising from its provisions. The most obvious way of distinguishing or designating a manufacture is by a combination of its own name and the manufacturer’s. Thus in a well-known case Mr. Burgess made a preparation of anchovies which he naturally enough labelled and sold as “Burgess’s Essence of Anchovies,” and which obtained celebrity and a ready sale under that title. But Mr. Burgess had a brother who saw his opportunity, and who also started a commodity under the name of “Burgess’s Essence of Anchovies,” and both the Vice-Chancellor Kindersley and the then Lords Justices refused at the instance of the first brother to restrain him from so doing; Sir J. L. Knight-Bruce delivering the epigrammatic dictum that “all the Queen’s subjects have a right to sell their articles in their own names, and not the less so that they bear the same name as their fathers.” From this case it was sought to be deduced that a man’s name could never be used as a valid trade-mark; but Lord Hatherley, when Vice-Chancellor, speedily demolished this contention, intimating that in his opinion a man’s name was “as strong an instance of trade-mark as could be suggested,” and adding that it was subject “only to this inconvenience, that, if a Mr. Jones or a Mr. Brown relied on his name, he might find it a very inadequate security.”

It is clear, without further explanation, how the Act obviates the difficulty arising out of the unquestionable right of every man to use his own name, and enables any manufacturer whose name happens to be a common one to avail himself of the most natural and rational form of trade-mark. It moreover tends strongly to discourage the misdirected exercise of invention which gives rise to outlandish cacophonous designations, since no word, however unique and unpronounceable, is, if used for the first time since 1875, entitled of itself to registration as a trade-mark. The use of words as trade-marks was always objectionable, since people who adopted them as such were perforce driven to invent fantastic or extravagant appellations, lest others should be able to justify their use as being merely descriptive of the article they were intended to denote, everybody having as much right to call a thing by its right name as he has to call himself by his own name. Thus a plaintiff in a case quoted by Mr. Sebastian, who sold “Paraffin Oil,” sought to restrain the defendant from selling “Kerosene, or American Paraffin Oil”; but Lord

Hatherley, as Vice-Chancellor, refused the injunction, saying of the defendant’s article, “It is paraffin, and it is oil; therefore paraffin oil. There is paraffin in it, and paraffin to be obtained from it, and it is American.” Similar decisions have been given in American cases cited by the author, where the names adopted were such as “Club House Gin,” “Extract of Night Blooming Cereus,” “Ferrophosphate Elixir of Calisaya Bark,” and “Desiccated Codfish.” On the other hand, “Medicated Mexican Balm” has been held to be so “extravagantly ridiculous” a name as to be capable of constituting a trade-mark. Geographical names have frequently occasioned the like difficulties, since, unless such name is clearly taken for purposes of fraud, a man has unquestionably a right to describe a product by the name of the place where it is produced. Inasmuch, however, as new names adopted since 1875 are not recognized by the Act as trade-marks, they are outside the provisions of the Act which prohibit any proceedings for infringement of a trade-mark as defined therein unless it be registered; and it would therefore appear that proceedings for infringement of such irregular trade-marks may still be taken, if actual user, for which, in the case of recognized trade-marks, registration is substituted, can be proved, a point which Mr. Sebastian has, so far as we can ascertain, failed to notice.

We pass over with regret the chapter where Mr. Sebastian expounds more fully the various remedies afforded in cases of infringement, and the method in which the right to a trade-mark may be acquired, lost, and transferred, in order to arrive at another branch of the subject—namely, cases analogous to trade-mark cases in which, as the author puts it, “the Court has restrained the practice of fraud by one person at the expense of another, the means adopted to perpetrate the fraud resembling to some extent the infringement of a trade-mark, but yet being distinguishable therefrom.” The cases of this description most familiar to the public are those in which the name of one person or firm has been wrongfully assumed or imitated by another for the purpose of drawing away his or its custom; or where an ex-member or ex-servant of a firm of reputation, who has set up in business for himself, utilizes his former connexion by announcing himself as “A., late of B. and Co.,” the “A., late of” being far less conspicuous than the “B. and Co.” Of course, as Mr. Sebastian remarks (p. 157), such a person “is entitled to derive what benefit he may from a fair statement of the fact of his former employment, . . . but such statement must be made in an unambiguous way, and not in such a manner as to induce the belief that the tradesman in question is selling the goods of his former firm or employer.” A very amusing instance of this class of deception, to which Mr. Sebastian refers, occurred some time ago. A Mr. Cave had a large business as a basket-maker; another enterprising tradesman established a similar shop at a corner of the same street, which he designated Cavendish House, and took advantage of the position to paint up “Cave,” part of that name, on the front facing the main street, continuing the “ndish House” round the corner.

Another principle nearly related to that of the above-mentioned cases, which is enunciated by Mr. Sebastian, is that, “where a person produces certain articles, and a representation is made by another that articles not the production of that person are in fact produced by him, there is an injury to the right of property in the name, which has in fact, though not used as a trade-mark, yet come to be the producer’s means of selling the articles produced. Thus a poet is entitled to protection for the name which sells his poems for him; a legal author is entitled to prevent the issue as his of works or editions not of his production; a painter will be protected from having exhibited as his a picture which he has not painted, and a medical man who compounds medicine from having spurious medicines sold as his.” In reference to this last statement, the author quotes a very curious and much discussed case, in which the eminent physician Sir James Clark failed to obtain an injunction to restrain the advertisement and sale by the defendant of certain pills termed by him “Sir J. Clark’s Consumption Pills,” the advertisements being so framed as to be calculated to induce the public to buy the pills as being of Sir James’s invention. The ground which Lord Langdale gave for this somewhat remarkable decision was that, Sir J. Clark not being in the habit of selling pills, there was no injury to property; but later judges have been of opinion that Sir James was entitled to succeed on the ground that he had a property in his own name.

A chapter on Goodwill, a subject akin to that of trade-marks, and an appendix containing the various Acts and rules referred to in the body of the work, complete Mr. Sebastian’s book. Although this appendix occupies a considerable portion of the book, the author has not contented himself with merely transcribing the Acts and rules, but has illustrated them with remarks and references, thus materially increasing the value of the appendix, and making it in a certain sense his own work. Mr. Sebastian is fortunate in having selected a subject which is capable of being rendered of more general interest than most legal topics, and he has made the most of this advantage, the style of the book being eminently readable. The collection of cases is very ample and satisfactory, Mr. Sebastian never laying down a proposition without supporting it by abundance of authorities, American as well as English. As an illustration of the care which he has taken to include the most recent cases, we may mention that he refers to several decisions which at the time the book was published (March 1st, 1878) were as yet unreported save in the *Times* or other newspapers.

MINOR NOTICES.

THE Life of James Hinton*, the first aural surgeon of his time, presents a striking study of character, and will be instructive in its simpler outlines to readers who are unable to follow the deeper and somewhat mystic course of philosophical thought traced in his "Letters." Brought as he was in early youth face to face with the dreary realities of evil and suffering exhibited "in the back streets and courts of Whitechapel," and thus filled with "a sense of the cruelty of the world," and of the tyranny of selfishness, which "never left him," Mr. Hinton's whole mind was penetrated throughout his life with a passionate eagerness to remove the misery which he saw by destroying the wrong which caused it. This was his guiding motive in devoting himself to surgery; and while he learned, as others have done, that the whole problem of human life is too vast for individual solution, his energy and sympathy combined to place him in the foremost rank of those specialists whose skill in the alleviation or removal of physical suffering represents on a wider field, though by a different method, the gifts of healing which once were manifested as the visible signs of the reign of truth and right. If deafness is regarded as a minor form of bodily privation, it is only by comparison with pains and privations more severe. In itself it casts a dark cloud over the life which it affects, whether in its complete or merely threatening form. It was Mr. Hinton's happiness to be guided to his special vocation of aural surgery by a simple and entirely successful operation through which he restored the hearing of his mother. The death of Mr. Toynbee, with whom he was for some time associated, left him in possession of the chief aural practice in London, with the reward of a large and well-deserved income; but the reward which he most highly valued as acquired through his practice was the constant experience of lives brightened through his means. He died of acute inflammation of the brain in his fifty-fourth year; and a warmly appreciative introduction to his biography from the pen of Sir William Gull affords evidence of the esteem and admiration with which he was regarded in his profession.

Mr. Ram's treatise† would perhaps have created greater interest if the events of the last few months had resulted less peacefully than is at present the case. But even if we put aside the imminence of war, a book which professes to deal philosophically with so great and terrible a subject will always have a certain attraction, and must invite a considerable amount of criticism. A state of war is so diametrically opposed to the ordinary tenure of our lives, and entails so much that is repugnant to our ideas of religion and morality, that any reasonings purporting to defend such a condition of affairs will be listened to with curiosity, if not with interest. In a small book, hardly more than a pamphlet, the author has touched with some skill on various topics which are interwoven with the primary idea set forth at its commencement—that war is not an unmitigated evil, but rather that it forms part of the natural government of the world, and tends, like other ordinances of nature, to ultimate progress. This is attempted to be proved from history and from the recent scientific theory of development, on the ground that victory is the result of the triumph of the strong over the weak (strength being measured by mental as well as physical standards), and that humanity is benefited by the weaker races being pushed to the wall. Upon this thesis arguments on the present political state of the world are based. Much sympathy is expressed for the desire of Russia still further to develop her power, whilst to England is allotted the duty of guiding or commanding the destinies of Western Asia. All that impedes the modern idea of the unity of nationalities meets with reprobation; Austria is blamed for her opposition to Italian unity and to Pan-Slavism; France for her attempt to prevent the formation of a powerful Germany; whilst the unhappy bitterness arising from the severance of the United States from England is lamented over as tending to hinder the working with a common object of the English-speaking races, and to diminish or postpone the influence that should of right belong to them, and which they are destined to attain. If war has its bright as well as its sombre side, and if it tends to develop noble qualities in those who are engaged in it, so, according to the author, ought nations aspiring to success to organize their armies from the best and strongest portions of their populations. The middle class, who form the backbone of modern society, must not be excluded from the profession of arms. The scheme of enlisting subject nationalities to fight the battles of their conquerors meets with strong disapproval. Conscription is not advocated for England, as the obtaining of voluntary recruits is held to be only a question of money; but, on the other hand, the compulsory training of every boy who attends any description of school, from Eton to the Board School, is strongly recommended, because, according to the author, there can be no greater hardship in insisting that boys should be drilled, and should acquire the knowledge of arms, than that they should be forced to read and write. To sum up, the author urges that war is not an unmitigated evil; that it tends to draw out noble qualities, and to the ultimate success of the strongest races; consequently, that nations who aspire to victory in arms must be prepared to fight their own battles with their best men; and that, in a rich country like England, these men can be obtained if their proper value in the

labour market be paid; whilst, in order to prepare for what may happen, and to encourage a martial spirit, every boy should, as a matter of course, be taught his drill and the use of firearms. There is much in this little book that is put cleverly, and much that is true; whilst the seeming anomalies afford matter for speculation, if not for serious thought.

Mr. Tegg has given us a history of posts and telegraphs* from their earliest introduction. In his account of the rise and development of the present postal system in this country there is much interesting matter collected. It is, however, difficult to see what advantage there can be in quoting some thirty or forty passages from the Bible in which the word "letters" occurs. In his account of the telegraphs Mr. Tegg is not very successful, particularly in those parts in which descriptions of instruments are given, and whilst we have in England such telegraph engineers as Sir William Thompson and Mr. Spagnoletti, we do not think that the author's sneer at "the so-called 'Society of Telegraph Engineers'" is at all called for, and certainly we see no signs of that "decadence of English telegraphy" which Mr. Tegg tells us was lamented by a past President of that Society. Of course an account is given of the telephone and phonograph, without which no book upon any subject of this kind can be considered complete since the introduction of these inventions into England. The book hardly professes to be more than a collection of extracts from periodicals and newspapers, but it contains some matter which is presumably original, and this is remarkable for some passages like the following:—"The cable in question had a covering of hemp and steel, like the more celebrated Rangoon one, with which more pains have been taken perhaps than any other of its snaky sisterhood." In this part of the book, however, Mr. Tegg gives a most useful table of the common errors of telegraphy, by the help of which many puzzling telegrams may be interpreted.

The fact that the volumes entitled *Lucullus*† are made out of an enlargement of three little books, the first of which, "The Oyster," was published "a few years since" as we learn from the preface, may palliate but cannot excuse their author's writing as if oysters were still a cheap kind of food. "We can safely assert," he says in one of his early pages, "that oysters are not high in price. Fancy being able to purchase twelve succulent dainties for onesixpence at Ling's or Quin's, at Proctor's or Pim's, or any other celebrated shell-fish shop!" Fancy indeed! It is more easy to fancy the disappointment of any misguided person who should rashly trust in this matter to the guidance of the author of *Lucullus*. The writer, however, seems himself to be more innocent in some gastronomical matters than one would guess from the title of his book. He complains bitterly of "that villainous Paris cheat, a 'bif-stek,' one of those things to be excluded from the list of 'What to eat!'" If it had ever occurred to him to ask for a *châteaubriand* he would have discovered that the true steak of Paris cookery will more than rival our native production of the same kind. Again, while he very rashly admits that certain sorts of spirit may be drunk with oysters, he rightly observes that brandy is certain to make them difficult of digestion. Yet we find him regretting, when a lobster "washed down with a pint of villainous Hockheimer" (sic) has disagreed with him, that he had not drunk instead Burgundy, "or a glass of the purest old Cognac." There is some information to be got out of *Lucullus*, but, except to those who already know something of its subjects, it may prove a dangerous guide.

The latest volume of *The Annual Register*‡ is more than up to the usual mark; and we observe a pleasing innovation in the acknowledgment of the source from which some of the information and criticism is obtained.

Mrs. Ellis§ has produced a pretty and vivid record of some travels in Normandy which, although "originally intended for publication in a child's magazine," may be read with pleasure by grown-up people who have any interest in the scenes described. Here is a passage of which the truth will be recognized by any one who knows Avranches. "The only excitement in their day was the progress down the street of the town-crier, with a very large drum, on which he gave very fine rolls, collecting all the small boys around him. He was dressed like a soldier, and had a ferocious appearance, and proclaimed his news as if he was giving forth some imperial edict; but it generally turned out to be the announcement of a concert in the evening, or a take of fish come into the town, and similar intelligence." Again, who will not feel for the difficulties of the children to whom the book is dedicated in writing letters "with the travelling ink-bottle, which has a tendency to throw itself flat on its back, or to snap violently down on the pen?"

Mr. Ozanne has written an account of his experiences in Roumania||, which cannot but be interesting. We must be content here to note a few points at random among his remarks. The climate, he says, is very trying, being as oppressively hot in summer as it is biting cold in winter. In July and August the inhabitants of Bucharest "divest themselves of all superfluous clothing, the common people going about almost naked, while the

* *Life and Letters of James Hinton*. Edited by Ellice Hopkins. With an Introduction by Sir W. W. Gull. London: C. Kegan Paul & Co.
† *The Philosophy of War*. By James Ram. London: C. Kegan Paul & Co.

* *Posts and Telegraphs, Past and Present; with an Account of the Telephone and Phonograph*. By William Tegg, F.R.H.S., Author of "Meetings and Greetings," "One Hour's Reading," "The Knot Tied," &c. London: Tegg & Co. 1878.

† *Lucullus; or Palatable Essays*. By the Author of "The Queen's Messenger," &c. 2 vols. Remington & Co.

‡ *The Annual Register for 1877*. New Series. Rivingtons.

§ *A Summer in Normandy*. By Mrs. Charles Ellis. Routledge.

|| *Three Years in Roumania*. By J. W. Ozanne. Chapman & Hall.

upper classes appear in white Holland suits and low muslin dresses." The temperature, however, is subject to constant changes, and there is a dangerous miasma hanging about in the air. "Life," Mr. Ozanne fears, "is not so much valued in Moldo-Wallachia as it ought to be," a state of things which he attributes to the abolition of capital punishment. He goes on to tell various stories, from which the reader may conclude that, if he wants to see a realization of those of Mr. Bret Harte's stories in which the free use of "shooting-irons" and bowie-knives play a conspicuous part, he had better follow in Mr. Ozanne's footsteps. The peasants have a fine store of superstitions, among which is one that "any one who paints your portrait robs you, with every touch of his brush, of a corresponding day of your life." Mr. Ozanne's volume ends with a "Review of the Political Situation."

Mr. Brown has justly felt that "some apology is needed for a title which inevitably suggests a comparison between it and Charles Lamb's 'Tales from Shakspeare.'" It is possible that the world could have been tolerably happy with Charles Lamb's other works if he had never written the *Tales from Shakspeare*. It is more than probable that no general sense of unfulfilled longing would have been felt if the *Tales from the Old Dramatists* had never been published. There seems but little to be gained by reproducing stories versified in the most insipid and turgid period of the drama by such men as Nicholas Rowe, and it is amazing to find any one quoting, with apparent admiration, a long passage from Young's *Revenge*, in which we find such lines as these:—

Ha! she sleeps;
The day's uncommon heat has overcome her;
Then take, my longing eyes, your last full gaze.
O what a sight is here! how dreadful fair!
Who would not think that being innocent?
O my distracted heart! O cruel heav'n!

"Who would not think" that it must be obvious that this is just such another amazingly ludicrous attempt as Rowe's in *Jane Shore* to show the author's superiority to Shakspeare by stealing his motives and dressing them in the nice verbiage of the time?

The writer of a little volume about Davos-Platz † had already drawn attention to the virtues of the place in a pamphlet published last year, and has now compiled a fuller guide-book with the same intent. It may be a wicked feeling, but we cannot help a kind of wish that the author had not felt it "a duty to make the healing influences of the place as widely known as he could in England." There will soon be no corner left for peace and quiet in Switzerland, or indeed in any accessible part of Europe.

People who care to explore England, instead of fleeing across the Channel, will be grateful for Mr. Murray's Handbook of Northamptonshire and Rutland ‡, which contains a mass of information which almost rivals a volume of the *Cyclopædia* in the variety of the matters with which it deals.

We spoke not long ago of Mr. Burnand's *One and Three* § in connexion with *Strapmore*. It is perhaps not so complete as a whole as *Strapmore*; but, on the other hand, there are passages which are "plus Victor Hugo que Victor Hugo lui-même." For instance, in the parody of the scene in the open boat there is an expression which M. Victor Hugo might mistake for his own. "He had black ringlets, and a high colour; but for this he would have been plain. Every man has his price; his was a penny plain, and twopence coloured. Now he was twopence." Again, the description of the man who had been "an Under-boots or Stockings" at an hotel shows an exact appreciation of the way in which the great French poet's quick mind leads him into headlong blunders. At the same time Mr. Burnand's parody is so good-humoured that M. Victor Hugo's greatest admirers can hardly be annoyed at it.

Mr. Wood's enthusiasm for bulbs || leads him sometimes to disregard the ordinary laws of grammar. He talks, for instance, in his preface of offering "reliable treatment," and later says, "I know of no more striking nor imposing effect, nor one of more real utility." However, it is probable that readers interested in his subject may be pleased with his plans, which he has hoped to make "simple, yet possessed of boldness and beauty." The illustrations are carefully executed.

Mr. Prior's aim has been to produce a manual which may be used by beginners ¶ without previous knowledge of the ways of roses. Mr. Prior appears to be thoroughly acquainted with his subject, and to appreciate the difficulties of amateurs.

In the third volume of Messrs. Blackwood's new series of tales** the *Battle of Dorking* will probably be the most attractive story. We no longer labour under fears of German invasion, and may therefore all the more enjoy the graphic description of an imaginary event which may at one time have been thought possible by some people. At the time when the *Battle of Dorking* was first written, our foreign policy were an aspect very different from that which it now bears; and the public mind is now more prone to think of defensive operations on the Euphrates than of diemstrous defeats in England.

* *Tales from the Old Dramatists*. By Marmaduke E. Brown, M.A. London: Kemington.

† *Davos-Platz*. By One who Knows it well. London: Stapford.

‡ *Handbook for Travellers in Northamptonshire and Rutland*. With Map. London: Murray.

§ *One and Three* (by Victor Nogo). By F. C. Burnand. London: Bradbury, Agnew, & Co.

|| *The Bulb Garden*. By Samuel Wood, Author of "Good Gardening," &c. London: Crosby Lockwood & Co.

¶ *Roses and their Culture*. By W. D. Prior. London: Routledge.

** *Tales from Blackwood*. New Series. III. London and Edinburgh: Blackwood.

Mr. Du Hamel's *Guide to Paris** will be found compact and serviceable, and has a collection of useful phrases.

M. Huart's *Guide to Paris*† is light and lively, but we should hardly notice a translation of it unless one passage in the translation spoke of an actress's or singer's "box" (*loge*), when it is evident that "dressing-room" is meant. The blunder is not uncommon; and a curious instance of it occurs in the only English translation which we have ever seen of "Victor Hugo raconté par un témoin de sa vie." There the poet is said to have gone straight to "the private box" of the heroine of one of his plays as soon as the curtain fell. This statement, if it were correct, would argue a miraculously "quick change" on the part of the actress.

It is hoped by the writers of the "Medical Press's" Report on Hydrophobia‡, who take a view more cheerful than usual of the possibility of curative treatment, that their work "will be useful in dispelling some of the prevailing errors in reference to this sad affliction and in educating the public more fully on the subject." Any work of authority which tends to mitigate such a scare as was felt not long ago about hydrophobia deserves attention, but we cannot here enter upon the extremely difficult questions upon which the Report joins issue with Sir Thomas Watson's published opinions.

The latest volume of *L'Art* § is fully up to the accustomed high standard of the publication. Among other interesting articles, it contains several by M. Viollet-le-Duc on the building of the Paris Exhibition.

* *Du Hamel's Model Guide and French Manual for English Visitors to Paris and the Exhibition*. London: Gregory & Co.

† *The Illustrated Comic Guide to Paris*. Translated from the French of Adrien Huart. London: Richardson & Best.

‡ *The Nature and Treatment of Rabies and Hydrophobia*. The Report of the Special Commission appointed by the "Medical Press and Circular." London: Baillière, Tindal, & Cox.

§ *L'Art: Revue Hebdomadaire Illustrée*. Tome XIII. London: Librairie de l'Art, New Bond Street.

NOTICE.

We beg leave to state that we decline to return rejected Communications; and to this rule we can make no exception.

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Marks.	Marks.
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Amount proposed for Assurance during the year 1877 (2,300 Policies) ..	£1746,541	2	10
Amount of Assurances accepted during the year 1877 (1,552 Policies)	1,331,571	0	11
Annual Premiums on new Policies during the year 1877	42,220	1	10
Claims by Death during the year 1877, exclusive of Bonus additions	415,875	2	7
Amount of Assurances accepted during the last Five Years	6,227,788	10	3
Subsisting Assurances at November 15, 1877 (of which £1,437,209 is. 10d. is re-assured with other Offices)	18,502,852	12	0

Revenue upwards of Three quarters of a Million sterling per annum.

Invested Funds, upwards of Five Millions and a Quarter sterling.

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